

Saudi Arabia's New Environmental Law

Briefing date: June 2021

The new Environmental Law, which came into force in January 2021, significantly expands on the previous General Environmental Law in scope of obligations and scale of potential penalties.

High-impact changes resulting from the Law include:

- 01 Raised penalty amounts for violations
- 02 Expanded range of prohibitions and obligations
- 03 Expanded range for license & permit requirements for environmental activities or activities that impact the environment
- 04 Users to set phase-out plans for air-polluting and ozone-depleting substances
- 05 Marine transport operators to keep records of pollution-prevention plans and procedures
- 06 Heightened cooperation with the Ministry of Interior for monitoring environmental compliance and dealing with violators
- 07 Loan-making funds must consider environmental aspects of all potentially funded projects



Key actions for entities to take now include:

- Review of the obligations set by the law including licensing, permitting and other obligations and prohibitions in order to determine compliance.
- Consider the need to review any activities within environmentally sensitive areas to ensure adherence with the Law's requirements, such as:



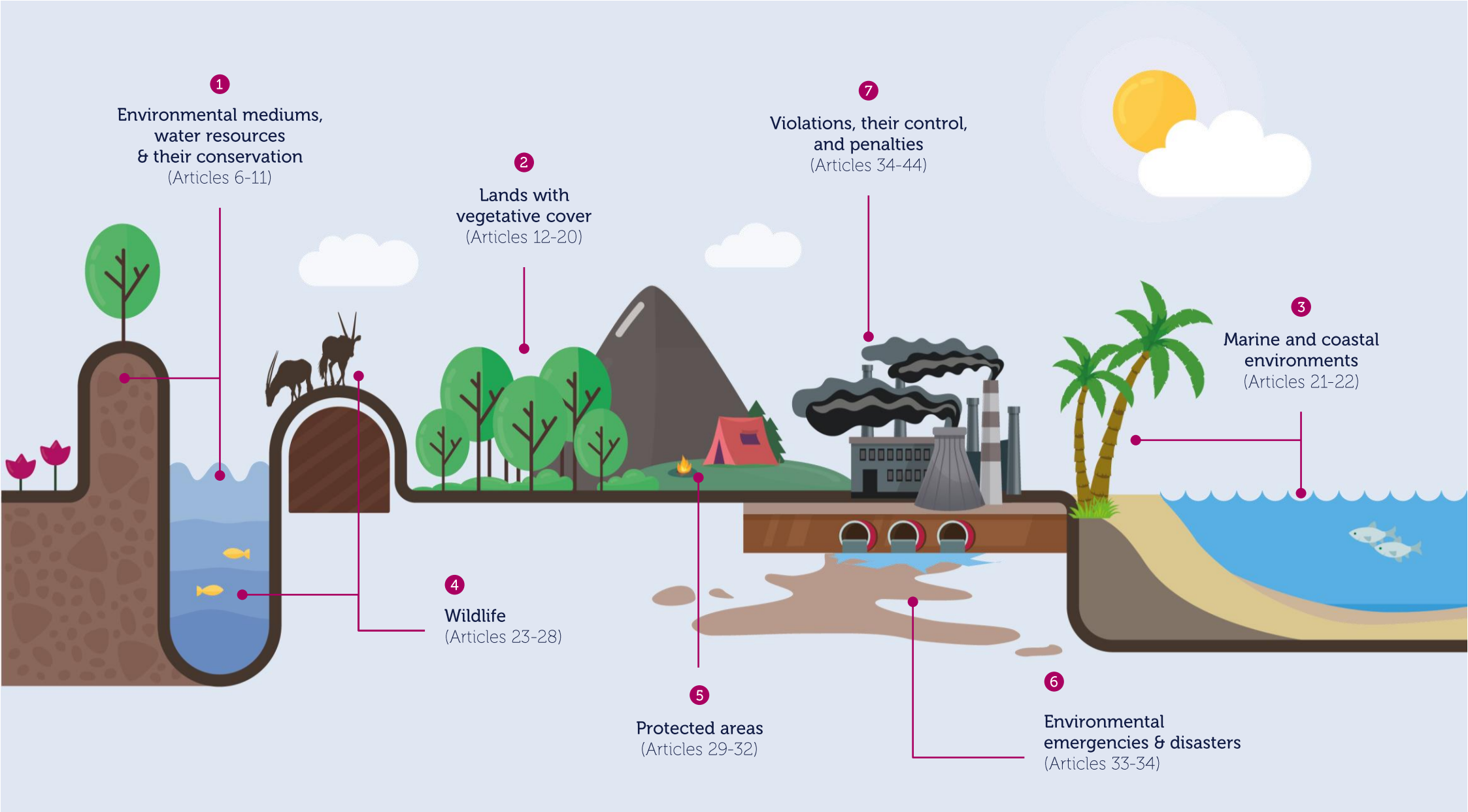
Marine and coastal areas



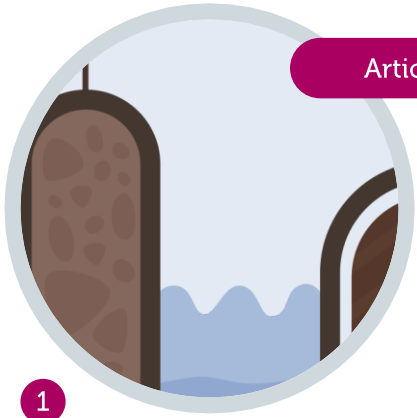
Lands with vegetative cover



Protected areas



The Law sets out a wider range of rules and licensing / permit requirements for the protection of environmental mediums, water resources and lands with vegetative cover.

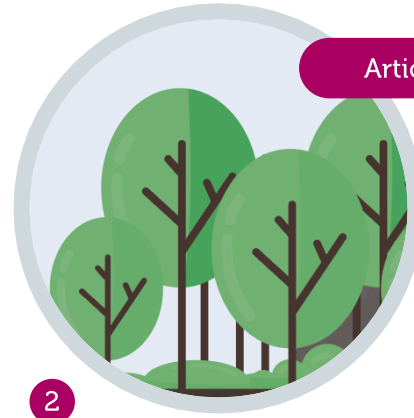


Articles 6-11

1

Environmental mediums, water resources & their conservation

- Environmental mediums (the water, air, land, and soil surrounding humans, including habitats, natural systems and processes) cannot be polluted, harmed, or negatively impacted, in line with the regulations.
- Phase-out plans required for activities (import, export, production, disposal, etc.) involving ozone-depleting and air-polluting substances
- Licenses or permits are required to:
 - (a) Undertake activities which may produce pollutants or emissions or otherwise impact environmental mediums;
 - (b) Use, transport, store, or sell any natural resources or products derived from environmental mediums within KSA's sovereign land or marine territory
 - (c) Deal in ozone-depleting substances and equipment containing them
 - (d) Dispose of sewage or treated components into any environmental medium or into wells.



Articles 12-20

2

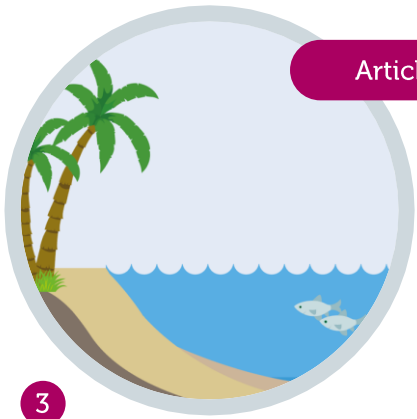
Lands with vegetative cover

- National parks are established on public land by ministerial decision.
- It is prohibited to own or encroach upon land in forests and national parks, and any potentially harmful activities are prohibited.

Licenses or permits are required to:

- (a) Undertake any activities inside lands with vegetative cover within or outside urban settings, including the exploitation of sands, stone, or clay;
- (b) Rehabilitation of agricultural lands and lands with vegetative cover;
- (c) Planting trees within lands with vegetative cover;
- (d) Producing firewood or coal.

The Law also sets additional permit and license requirements on the conservation of wildlife, marine and coastal environments, as well as rules limiting activities in protected areas.



Articles 21-22

3

Marine and coastal environments

- Operators of marine transportation must maintain a record of procedures and emergency plans to prevent pollution.
- Licenses or permits are required to undertake any activities which may potentially harm marine and coastal environments, such as:
 - (a) Excavation and filling work;
 - (b) Prospecting;
 - (c) Exploration;
 - (d) Research;
 - (e) Tools which may harm such environments.



Articles 23-28

4

Wildlife

- The National Center for Wildlife is responsible for specifying endangered species which are prohibited to hunt or trade.
- Licenses, permits, or approvals are required for:
 - (a) Import/export of wildlife or wildlife-derived products, and other related activities;
 - (b) Hunting and fishing;
 - (c) Importation or usage of biological/organic means of countering plant diseases and pests.



Articles 29-32

5

Protected areas

- Protected areas are established on public land by ministerial decision.
- No activities may take place within protected areas without a permit or license.
- The relevant entity shall coordinate with the Ministry of Interior to set conditions for entry into protected areas and for pursuing activities there such as ecotourism or research.
- All activities which may potentially harm protected areas or disturb their environmental balance are prohibited, such as cutting trees or lighting fires.

Controls for dealing with environmental disasters are addressed in the Law, as well as violations of the Law and its regulations.

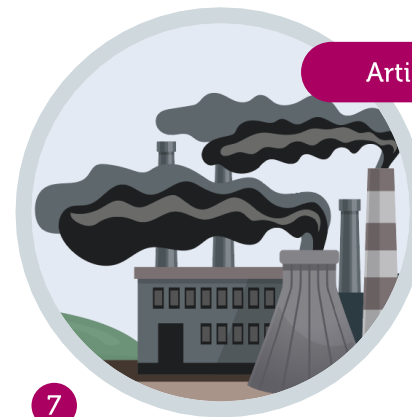


Articles 33-34

6

Environmental emergencies & disasters

- Workers from relevant entities are absolved of responsibility for any environmental harm resulting from unintentional mistakes throughout removing disaster-related pollution, but this does not exempt from civil liability and the injured party's right to damages.
- The Minister of Environment, Water and Agriculture may take any necessary measures to respond to an environmental emergency or impending threat to the environment, in coordination with the relevant entities.



Articles 34-44

7

Violations, their control, and penalties

- The Ministry of Environment, Water and Agriculture is to publish a comprehensive table of violations and penalties, but these include disposal of sewage or hazardous waste into environmental mediums, or trade in endangered species.
- The Ministry of Interior is responsible for environmental compliance, supporting environmental inspectors, and apprehending violators.
- Penalties for violators include:
 - (a) Fines reaching a maximum of SAR 100 thousand, 5 million, 20 million, or 30 million, depending on the violation;
 - (b) Prison;
 - (c) Suspension or cancellation of licenses/permits;
 - (d) Doubled punishments when repeated within one year;
 - (e) Public announcement of violators, who must rehabilitate the harm caused.

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