

Legal Controls for the Assignment of Public Employees in Private Laws: A Comparative Study between the Egyptian and Saudi Legal Systems

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It is the responsibility of the public employee to complete a set of duties as per his assignment and commencement of work. Along with duties, he also deserves a set of rights. Among the other important and common topics between the duties and rights of public employees, the subject of the assignment carries great importance. Because of this importance, we investigate the legal controls for the assignment of a public employee in civil service systems and private systems such as judicial and military systems, diplomatic authority, and university faculty systems. We compare the Saudi and Egyptian legal system regarding employment. We find some similar features but most of legal structure is different in both countries.

Keywords: *Public Employee, Private Dystems, Judicial and Military Systems, Diplomatic Authority, University Faculty Systems.*

Introduction

One of the most important topics related to the career of the public employee is the subject of the assignment. The concept of a public employee is not limited only to those subject to civil service regulations in public sector as there are also private cadres who meet the public employee description such as judges, diplomats, faculty instructors and the military. However, they are subject to private regulations which regulate their careers. We focus and compare the public employee assignment in the civil service laws and private regulations in the Egyptian and Saudi systems. The assignment is one of the most important tools which is used to bridge the shortage in public jobs, especially if the conditions do not allow for new recruitments. There should be certain experiences to take over the job, which are not available in the current cadre.

So, important topics are the assignment of private cadres, such as judges and military personnel due to the sensitivity of their jobs. Therefore, we present the public employee's assignment in the civil service laws and private regulations in the Egyptian and Saudi systems.

Our research is limited to the framework of laws and regulations regulating public employment and the career of private groups in the Arab Republic of Egypt and the Kingdom of Saudi Arabia. We present our subject in light of the bylaws and regulations currently carried out only in the Egyptian and Saudi systems. In our research, we follow this comparative legal approach. We also use the descriptive and analytical method, depending on legislative articles organising to assign public employees in civil service systems and private systems in the Egyptian and Saudi systems. In this research, we follow this comparative legal approach relying on legislative texts organising to delegate public employees in civil service systems and private systems in the Egyptian and Saudi systems.

Al-Doshan (2012) discussed a definition of the public employee as a relationship of the public employee to management, and the assignment of the public employee in the civil service system, as well as the assignment of judges, military personnel, and faculty members in the Saudi system. Al-Daihani (2013) discoursed the historical establishment of assignment in the Egyptian and Kuwaiti systems, the definition of assignment, the rights and duties of the assigned public employee, his discipline, and judicial control of the concerned authority of the administration in issuing assigning decisions. Al-Mardh (2016) conferred the public employee and his relationship with the state, and the legislative development of the concept of assignment of the public employee to a presentation of the legal organisation of the concept of assignment and to a presentation of the legal status of the transferred and assigned employee.

Our research agreed with some of the some definitions, but we also disagreed with the discussion of the topic of assigning a public employee in private systems based on the above details, in light of the Egyptian and Saudi systems. Hence, we focus on the regulatory controls for assigning a public employee in civil service systems, the regulatory controls for assigning faculty members and diplomats and the regulatory controls for assigning of military personnel and judges.

Regulatory Controls for Assigning a Public Employee in Civil Service System

Public jobs have become of a great importance in our modern era. Therefore, there are many legal studies in the field of the career for the public employee to discuss the conditions for occupying the position, his rights and duties, the reasons for termination of his service, his discipline and guarantees for this discipline. The importance of public office stems from the evolution of the role of the state from the guarding state which carries out four traditional functions such as security, defence, law enforcement and dispute settlement to the modern

state. The public position means that it is "a set of legal specialties exercised by the public employee through his work in a public facility, and in order to achieve the public interest. The definition of public office has been subjected to historical, political, and economic considerations which differ from a country to another country" (Heikal, 2018).

The Egyptian law defined the public employee in Article 2 of the Civil Service Law as everyone who occupies one of the jobs mentioned in the unit's budget (Government of Egypt, 2020). In Article 8 of the Anti-Bribery Regulation, the Saudi law specifies as he who is considered as a public employee in implementing the provisions of this system as everyone who works for the state or one of the authorities of public morale personalities, whether he works permanently or temporarily (Government of Saudi Arabia, 2020). In spite of the multiple definitions of a public employee, there are three conditions, which jurisprudence deduced if available, where the description of the public employee applies, which are occupying a post in a public service staff, working with a public facility service and the public facility is managed by an administrative authority (Heikal, 2018).

The Public Employee in Private Systems

A person occupies a public job to achieve a public interest and his job is not considered among the cadres of public jobs. Meaning that the job is not required to be within the hierarchical structure of public jobs such as jobs are subjected to the civil service system in Egypt and Saudi Arabia. The job shall be enrolled in a private legal organisation such as the university's faculty system or the judicial system, and the job does not have to be paid in terms of salary, bonus, or without any financial incentives, and it is not stipulated to be permanent or partial (Heikal, 2018; Muhanna, 1978).

The duties of a public employee are variant and as soon as he is assigned and receives his work, he is obliged to carry out a set of various duties including the duty of good conduct and behaviour of the employee; to observe etiquette and good treatment of citizens; not accepting or requesting bribes in any form; the duty to allocate the employee at work time to perform his job duties; the duty to implement orders issued to him and to obey his superiors; the duty not to abuse the authority and exploit influence; the duty not to divulge secrets; the employee's responsibility for the proper functioning of work within the limits of his authority; and duties related to modern uses of technology. Hence, the public employee's rights include salary and bonus, promotion, allowances, bonuses and compensation, and leave (Al-Ajmi and Al-Ajmi, 2019).

Article 1 of the Staff Assignment Regulations issued by law No. (1/596) stated that the assignment is defined as "assigning the employee to perform certain other jobs in addition to his original work or without it, whether the assignment is within the city in which his workplace

is located or outside of it". Thus, we can define assignment as "assigning a public employee to perform jobs other than his original post, according to certain regulations". In Egyptian law, Article 33/1 of the Egyptian Civil Service Law states stipulated that "by decision of the concerned authority, it is permissible to assign the employee to temporarily perform another job of the same level for his job or from the level that is directly above him in the same unit in which he works or in another unit if the need to work in the original job allows this". The concerned authority is meant to be in the Civil Service Law and the first paragraph of Article 33 which was previously presented, the minister, the governor, or the chairman of the authority's board of directors according to the circumstances (Government of Egypt, 2020).

In the Saudi law, Article 23 of the Saudi Civil Service law is approved by a decision from the concerned minister to assign the employee to carry out certain jobs or perform an official mission. The employee shall also be assigned to do this while carrying out his original job duties. The concerned minister is the one who issues the assignment decision, and in the case of independent interests which are not affiliated with the concerned minister and the head of the independent authority has the same authority as the minister, which is stipulated in Article 32 of the Civil Service Law (Government of Saudi Arabia, 2020).

The duration of assignment, Article 33/3 of the Egyptian Civil Service Law specifies that it does not exceed 4 years. The same duration is confirmed by the executive regulations of the law in Article 108. In Article 33, the Egyptian law deals with the case of partial assignment, in addition, to performing the main work. As for the text of Article 108, it deals with the case of overall assignment but partial, and the duration of the assignment in the same two cases. With regard to the expiry of the duration of assignment, and who has the authority to terminate the assignment. Article 114 of the executive regulations stipulate that "the assignment ends with the end of its duration, and the authority assigned to it or it shall terminate the assignment at any time but the employee should also be notified the other authority at least one month before the termination. In all cases, the authority assigned shall pay the social insurance according to the Social Insurance Law" (Government of Egypt, 2020). In Saudi law, the duration of assignment is mentioned in Article 69 of the executive regulations for human resources in the civil service with respect to the employee's partial assignment, and it does not exceed 6 months (Government of Saudi Arabia, 2020).

There are other cases for the duration of the assignment in one year, including assigning the employee, whatever his post or rank, to undertake an official mission inside the government authority in addition to his original work or without it inside the city where his workplace is located, stipulating the duration of assignment, whether in overall or partial. Renewal for similar duration in cases is also required by the interest of work and with the approval of the concerned minister. According to Article 72 of the bylaw, the assignment shall be terminated at any time before its duration ends, by a decision of the concerned minister. Article 71

stipulates that “the employee who is assigned outside the city in which his original workplace is located, must begin his original work on the day following the end of the assignment, which is for thirty days or less, and within a duration not exceeding three working days from the date of the termination of the assignment, whose duration exceeds thirty continuous days” (Government of Egypt, 2020). In Saudi law, Article 69 of the Executive Regulations for Human Resources set conditions for the issuance of the assignment decision, and authorise by a decision from the concerned minister to assign the employee, whatever his job or his salary is to perform other job tasks within the government authority in addition to his original work or without it and whether the assignment is within the city in which his workplace is located or outside.

In Egyptian law, the duties of the assigned employee are not explicitly mentioned in the provisions of the assignment and we see that the same duties that the public employee adheres to are the same as those of the assigned public employee. In addition to being subjected to the supervision, direction and discipline of the authority are assigned to it (Government of Egypt, 2020). In the Saudi system, the duties are coordinating with the rest of his colleagues assigned to perform a specific task, as stipulated in Article 9/22 of the executive regulations of the civil service system and the commitment of the assigned employee to submit a report of the mission. This is what the Saudi law is obligated the assigned employee at the end of his assignment, which is stated in Article 22/11 (Government of Saudi Arabia, 2020).

Rights of the Assigned Employee

In Egyptian law, the rights of the assigned employee are the condition of the assigned employee's approval to the unit which is assigned to him, but on the condition that the duration of the assignment ends and according to the need for work, which is stated in Article 33/4 of the Civil Service Law. The conditions of the assigned employee's approval are to be assigned to the private associations and institutions of public interest, as stated in Article 33/5 of the Civil Service Law. The assigned employee has the right to receive his full wages from the authority to which he is assigned in the event of being partial and overall assignment to perform another job in another unit for the duration not exceeding four years in each unit upon his request (Government of Egypt, 2020). The employee's rights include receiving his job wage and a part of his complementary wage commensurate with the length of time and work performed in his original job during the month, from his original employing authority if he was partially assigned in official working hours to temporarily do another job from the same job level of his job, or from the level that he directly mounted to in another unit upon his request. This case relates to assignment for some time during official work times, and the assigned employee shall receive from the authority to which he is assigned a financial reward appraised by the concerned authority commensurate with the length of time and work performed in the job assigned. The rights of the assigned employee are also to receive his job wage from his

main work authority in the case of being assigned to private associations and institutions of public interest, after agreeing to the assignment to these authorities.

In Saudi law, Article 11 of the Recruiting Regulations, issued by Civil Service Council Resolution No. 1/596, a wage for each month is authorised that does not exceed 25% of the first salary of the job occupied by the assigned and is subjected to the approval of the concerned minister or the head of the independent department. Also, it is permissible to replace the above-mentioned with the employment of the assigned according to the provisions of assigning work outside the official working time, taking into consideration and not to combine the two alternatives (Government of Saudi Arabia, 2020).

Cases of Assignment

In Egyptian law, the assignment is based on the conditions that the employee is completely assigned to perform partial work in another job from the same job level of his job or from the level that he directly mounted to in the same unit in which he works. In this case, the employee is being overall assigned to perform a partial work in another job of the same job level of his job or from the level that he directly mounted to in another unit. The employee is partially assigned at official working times to perform partial work in another job of the same job level of his job or from the level that he directly attends to another unit upon his request. In the case that the employee is assigned after his approval to the civil associations and institutions of public interest, the provisions controlling the overall or previously submitted partial assignment shall be applied to him (Government of Egypt, 2020).

In Saudi Law, assignment (authorisation) is to carry out another job, and it is divided into overall assignment to the employee to perform other job duties within the government authority in full time and a partial assignment of the employee to perform other job work within the city in the government authority, in addition to the original job duties. Assigning an official mission can be an overall assignment of the employee to carry out an official mission within the governmental authority or a partial assignment of the employee to undertake an official mission within the city, in addition to his original job duties (Government of Saudi Arabia, 2020).

Effects of Assignment

In Egyptian law, administration is responsible for the assignment after the approval of the concerned authority i.e. the minister, the governor or the head of the authority's board of directors, and Article (112) of the executive regulations of the civil service law has stipulated. The administration is responsible for the financial rights of the assigned employee, whether it is the administration assigned from or to it. In the assignment effects on the employee, assignment is a right of the employee, and in some cases, as we have already explained, is not

done until after his approval or upon his request. The employee has the right to receive a reward. It is one of his rights and the employee remains affiliated with his original work authority, which is responsible to pay the due social insurance (Government of Saudi Arabia, 2020).

In the Saudi system, effects of assignment on administration are responsible for the assignment of the public employee in the above-mentioned cases, and Saudi law also specifies who has the right to assign the public employee i.e. the minister or his deputy and the head of the independent service. The administration is responsible for paying the salaries of the assigned employee, and it is his salary and transportation allowance, and other allowances, bonuses or compensation to be borne by the administration to which the employee is assigned to, which is explicitly stated in the text of Article 5 of the regulations of assignment. In the assignment effects on the employee, assignment is a right of the employee who has the right to claim it, but the administration has the right to reject the assignment. The employee has a right to receive an assignment allowance, as it is one of his rights. The assigned employee still belongs to the authority from which he is assigned and has the right to cash out his salary and assignment allowance for transferring from his original work authority. Finally, we would like to point out that assignment is a way to fill a public job (Government of Saudi Arabia, 2020).

Assignment Controls for Faculty Members

In Egyptian law, Law No. 152 of 2019 is issued to amend some provisions of the universities organisation law No. 49 of 1972, and the new law has amended Article 84 concerning assigning and authorized assignment of faculty members for a specified duration of time from one public university to another, those to which these universities contribute, to institutes affiliated with the Ministry of Higher Education, to a public private university, or to perform other public job duties (Government of Egypt, 2020). The law does not consider overall assignment for government universities, those that they participate in, or institutes subjected to the Ministry of Higher Education in the secondary clause, but if the assignment is overall for one of the universities or private institutes, it will be considered as secondary.

The executive regulations of the universities organisation law authorise the assignment to teach outside the university by the university president's decision after the approval of the college council. To take the opinion of the relevant department council on the condition, the assessment does not affect the proper functioning of the college from which employee is assigned from nor it lead to the assigned which is being absent from his workplace for more than two days a week. Regarding the financial rights of the faculty members in the Egyptian universities, Article 279/1 of the executive regulations of the law organising universities allow the granting of faculty members, teaching assistants and other teaching staff in university colleges with financial rewards in the categories specified in this list, once they are assigned to give lessons

or lectures or to do practical exercises in one of the universities of the Arab Republic of Egypt (Government of Egypt, 2020).

The amount of the financial reward, Article 281 is coming from the executive regulations to stipulate that the mentioned rewards are determined by the equivalent of 5% of the first salary of the financial category for one lesson for university or college assigned from outside the city, in which his university or college is located. The last paragraph of Article 281 states that in all cases, the reward must not be lesser except for the nursing school and the nurses' aid school. The law also grants financial rights to whoever is assigned to perform the exams, and the text of Article 286 of the bylaw which stipulates the assigned. Finally, a financial reward is granted in the same categories, whoever is assigned to work in the student admissions coordination office at the university for each day of the office's work. With a regard to the duration of assignment, Article 91 comes from the recent amendment to the law regulating universities to determine that the overall duration of secondary, scientific assignments and sabbatical leave which shall not exceed ten years throughout the faculty member's term of service (Government of Egypt, 2020).

The assignment of faculty members in the Saudi system came in the system of the Council of Higher Education and universities. In Article 15/7, it is stated that the Higher Education Council is the highest responsible authority for education affairs above the secondary level for supervision and coordination between institutions, except for military education, and for universities in particular with issuing regulations organising the affairs of employees of Saudi universities and contractors, including faculty members, their salaries, emoluments, and allowances, after they were prepared by the Ministry of Finance and National Economy and the Public Office of the Civil Service. The above-mentioned council is issued the regulations organising the affairs of employees of Saudi universities of faculty members. Article 69 stipulates that it is permissible to assign a faculty member and his equivalent to work for government agencies by a decision of the university's council, based on the recommendation of the department's and college's councils that the university shall bear his salary and the monthly transportation allowance. Article 64 of the bylaw prohibits the assignment of a faculty member who has sabbatical leave. With a regard to the effect of the assignment on the promotion of the faculty member, the text of Article 24 comes from the bylaw to determine the duration of secondary assignment for the purposes of promotion which is calculated (Government of Saudi Arabia, 2020).

Assignment Controls for Judges

The Egyptian judicial system is distinguished by the presence of two sides of the judicial systems i.e. the regular judicial systems and the administrative judicial systems. Judges cannot be assigned except in the circumstances and in the manner specified in the Judicial Authority

Law No. 46. Internal reassignment is the provisions on reassignment of judges are selected by heads of the Courts of Appeals. The assignment shall be among the consultants who have spent the rank of advisor for at least two years. Assignment is also by decision of the President of the Republic, with the approval of the Supreme Council of Judicial Bodies. The Minister of Justice can temporarily be assigned to work in the Court of Appeal as one of the counsellors of the Court of Appeal who meets the conditions for assignments to the position of counsellor in the Court of Appeal for a duration of six months as per Article 54 of the Judicial Authority Law (Government of Egypt, 2020).

According to Article 62 of the law, it is permissible to partially assign the judge externally to perform judicial or legal work other than his work or in addition to his work as per Article 63/2 which may also stipulate that it is not permissible to assign the judge to be an arbitrator for the government or one of the public authorities whenever he is a party of a dispute to be resolved through arbitration. In this case, this council will determine the reward that the judge deserves. The above-mentioned council means the Supreme Judicial Council as stated in the text of Article 63/1. With regard to the duration of the external assignment, Article 64 specifies that the judge's assignment duration, other than his work, should not exceed the overall time according to Article 62 for three consecutive years. The duration related to the provision of this article means if days are consecutive or separated by an interval of less than five years. Finally, Article 56/3 stipulates that the assignment should not result in a breach of the proper functioning of the work (Government of Egypt, 2020).

Assigning Judges to the Administrative Judiciary

Article 87 of the State Council Law No. 47 clarified the internal assignment that the members of the State Council are attached to its various departments, assigned from one section to another and from among the branches of one section by a decision of the President of the State Council. It is also permissible to assign the counsellor in the Administrative Judicial Court from one department to another when necessary by the president of the courts' decision. The presidents of administrative and disciplinary courts can also be assigned from one court to another when necessary by the decision of the Vice-President of the Council of Administrative and Disciplinary Courts. Members of the State Commissioners can also be assigned from one court to another, when necessary by a decision of the president of the commission (Government of Egypt, 2020).

Article 88 of the State Council law permits an external assignor to delegate the members of the State Council all of the time or other than the official working hours to undertake judicial or legal work for government ministries and their interests or public bodies or public institutions, and that decision is done by the President of the State Council. After the approval of the private council for administrative affairs, it is provided that the aforementioned council alone is

concerned to determine the remuneration that the assigned member deserves. With regard to the bodies or committees whose membership is de jure membership of the law, one of the members of the State Council can be assigned by a decision of the Speaker. Finally, Article 239 of the Egyptian Constitution is obliged by the Egyptian parliament to issue a law to organise the provisions for deputation of judges and members of judicial bodies (Government of Egypt, 2020).

In the Saudi system, judiciary is distinguished as a dual judiciary i.e. ordinary judiciary and administrative judiciary. The Grievance Board system prohibits the subject of assigning the judges of the Court referred to the Judicial system. It is stated in the Article 17 that the judges of the Court are assigned, promoted, transferred, trained, have license approval, are inspected, disciplined, and dismissed, and terminate their services, according to the procedures established in the judicial system. Thus, the assignment of the judges of the Board of Grievances is subjected to the same provisions as the ordinary judges in the Kingdom. The private assignment of the judges is the responsibility of the head of the Administrative Judicial Council as this post is parallel to the head of the Supreme Judicial Council. With a regard to the financial implications, the Article 16 of the system of grievances of debts explains the degrees of the Court's judges which is stipulated in the judicial system. In terms of salaries, allowances, bonuses and benefits, they are treated similar like their counterparts in the justice system (Government of Saudi Arabia, 2020).

Regulations for the Assignment of Diplomats and Military Personnel

Egyptian law is authorised for the assignment of workers in the diplomatic authority. It is stated in the text of Article 40 of Law No. 45 that the Minister of Foreign Affairs can approve the assignment of members of the authority to work in a government, foreign or international authorities. The terms of the assignment are specified in the decision issued, and it is permissible to renew the secondary assignment. The member's approval is required in written form. The work of the assignment in the assigned authority should not contradict the nature of work and it is not permissible to conduct a job as a secondary job with the original job (Government of Egypt, 2020).

Article 41 permits the Minister of Foreign Affairs to assign members of diplomatic and consular missions to work in the Ministry's public office, and he shall also assign personnel in the authority from the ministry's public office to diplomatic and consular missions. Article 41 specifies the duration of assignment to three months at one time, and its renewal is permitted on the condition that the overall duration of assignment and renewal does not exceed 6 months. Article 45 and Article 92 permit the assignment of a member of the diplomatic mission by a decision of the head of the mission, after referring to the concerned ministry's department (Government of Egypt, 2020).

Concerning the financial rights of members of the diplomatic and consular authority in case of assignment, Article 5 of the conditions for service in the diplomatic and consular authority is issued by Presidential Decree No. 146 which asserts the right of a member of the diplomatic and consular authority, who is assigned to a task from the ministry or from abroad in a destination other than the country. In which the job is located with a representation allowance and a travel allowance is also granted while traveling for a job, in his original workplace or in the assigned country. The law also grants an assignment allowance to the person who replaces the head of the diplomatic or consular mission in cases, when his position is vacant or he is absent in the country in which his original workplace is located (Government of Egypt, 2020).

Article 15 is prohibited in case of the assignment accompanying a member of the diplomatic and consular authority from one of his family members except with private permission from the Minister of Foreign Affairs. It is stipulated that the duration of the assignment is more than two months. Article 9 of the executive regulations of Law 69 amends some provisions of the diplomatic and consular authority law issued by Law No. 45, by assigning as an excuse not to participate in the training course. Finally, the duration of assignment of the members throughout is not counted in the duration of their actual service (Government of Egypt, 2020).

Assigning Diplomats in the Saudi System

The provisions of members of the diplomatic authority in the Kingdom of Saudi Arabia are regulated by the list of diplomatic posts, and Article 4 of the bylaw comes to stipulate that the provisions of the civil service system, executive regulations, and relevant decisions are applied to the disciplinary system of employees. From the extrapolation of the texts contained in this system, we find that the subject of the assignment has organised its provisions in a sporadic and unclear manner, but the system does not prevent the assignment of diplomats, and if it is limited to the internal assignment in the various branches of the ministry. It is stated in Article 14 that the newcomer is appointed under trial for a duration of two years from the date of his employment, and he should be enrolled in a training program (Government of Saudi Arabia, 2020).

The list of diplomatic posts is issued in accordance with the Resolution of the Civil Service Council No. 1/1182 which is reported in the letter of the Cabinet Office. This means that the newcomer at the beginning of his employment and during the trial duration should not be assigned to do another job. Article 49 permits the exchange of an assigned authority member on an official mission, with a daily assignment allowance outside his original workplace inside the Kingdom or within the territory of the country in which he works. Article 65 of Paragraph 2 and Paragraph (c) approve the disbursement of a return plane ticket in certain cases upon the assignment on an official mission. In the case of the family members of the assigned diplomatic

mission member, the provisions of Article 66 approve the return plane tickets for the legal family members. We believe that the Saudi law has to organise the conditions for the diplomats with independent and clear texts, not only in the assignment but also for the rest of his career due to the sensitivity and specificity of his job (Government of Saudi Arabia, 2020).

Legal Controls for the Assignment of Military Personnel

Article 61 provides conditions of service and promotion for officers of the armed forces (Egyptian Newspaper, 2020). Assignment means that the officer is served for a units of army. It is permissible by a decision of the concerned officer's committee and the certification of the commander in chief of the armed forces to extend the assignment duration for four to five years as per Article 61/1. For reasons of public interest or health status, failure to comply with the term of assignment for some officers, it is stipulated that this extension is issued by a decision with reasons of the concerned officers' committee and the certification of the commander in Chief of the Armed Forces. In this case, the officer is transferred from one assignment to another, the duration of the assignment is calculated from the date of the first assignment (Government of Egypt, 2020).

As for honour officers, non-commissioned officers and soldiers, the provisions for their assignment come in Law No. 123 with terms of assignment i.e. a volunteer may be assigned for a maximum duration of four years to serve in one of the armed forces units outside his original branch. The duration of the assignment may not be restricted if the public interest or health condition requires it. In all cases, the assignment must be certified by the organisation and administration of the Armed Forces. Finally, Article 31 of the list of conditions of service in the posts of the diplomatic and consular authority clarify that it is permissible to assign non-commissioned officers in the armed forces to act as guards in representative missions of the Arab Republic of Egypt, it stipulates that the term of assignment is determined by the Minister of Foreign Affairs after agreement with the Commander-in-Chief of the Armed Forces (Government of Egypt, 2020).

Assigning Military Personnel in the Saudi System

With a regard to the permissibility of military assignment in the Saudi system, Article 37 of the personnel service system is authorised to assign the individual to perform the duties of a specific job in another government authority. The authority to which the individual is assigned should bear the payment of tickets for his family members the allowance for compensation, or reward other than his salary and the allowances that follow, unless the assignment decision is stipulated otherwise. A clarification of the meaning of the individual comes in the text of Article 2 which excludes that the individual whose rank is below the rank of the officer. So, we conclude that it is permissible to assign only individuals whose rank is below an officer

rank, and it is not permissible to assign those who are higher or lower in rank. The assignment is to be issued for a specific post in a governmental authority and at the request of the same authority assigned to it. The authority assigned to it shall bear the payment of tickets to the assigned and his family, and any allowance, compensation or rewards that he deserves, except his salary, allowances related to his salary, unless the assignment decision is states otherwise.

The system of individuals is distinguished among systems of assignment, delegation and secondary jobs. We would like to point out that the term officers' service does not appear in the system of officers, but the system is allowed the officers as per articles 49, 50 and 51. The above-mentioned texts do not provide evidence for the authority which is concerned with the assignment. Therefore, we see either a reference to the public provisions in the civil service system and the authority in this case is the concerned minister or the head of the independent department. It is advised to care which is stated in the Article 38 in the case of the concerned Prime Minister to agree and to apply for the case of assignment (Government of Saudi Arabia, 2020).

Conclusions and Recommendations

In this study, we present the definition of public office and employee, assignment, and the provisions of assigning a public employee in civil service and private systems such as judicial and military systems, diplomatic authority, and faculty members in universities. As a result of discussions of our study, we found that some of the results that the provisions of the public employee assignment in the civil service regulations are different from the provisions of the public employee assignment in the private regulations. It is permissible to assign faculty members, judges, diplomats, and military personnel, according to regulations established by law. The provisions of assignment of each category of specialised cadres are different from each other due to the specificity and sensitivity of their job. The terms and financial rights specified as a system of assignment between the Egyptian and Saudi systems are also different among some categories and are similar in some cases.

We recommend expanding and to provide the legislation framework that is easily accessible for the general public so public employees and employers can know their rights, duties and obligations. Moreover, the information should be easily accessible for the researchers to do comprehensive analyses and to suggest useful policies to improve legal structures of public and private jobs. There is a necessity to set clearer detailed statutory provisions for assigning the public employee in private regulations. It is also pertinent to submit the public employee's assignment decisions in the private systems to be subjected to the supervision of private administrative authorities.



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