



The new Saudi Commercial Courts and Their Jurisdiction over Different Commercial Disputes: Do These new Courts have the Jurisdiction over all Traders' Disputes?

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Although that the new Judiciary Law which was issued in 2007 and its Implementation Mechanism have a clear provision toward establishing the new specialized Commercial Courts, these new Courts were finally established and started their officially mission in 2017. According to the new Law of Procedure, the new Commercial Courts have the jurisdictions to adjudicate various disputes that have commercial characteristics. Although these new Courts will play an important role in increasing the effectiveness of resolving trade disputes, they may be unable to adjudicate a number of issues including disputes that have a financial or economic nature. The reason behind this inability lies in the existence of other bodies competent to hear such disputes. This Article, after highlighting the timeline of the commercial dispute resolution in the Saudi system, will discuss the current status of the commercial judiciary after the creation of the new Commercial Courts as one of the new components of the Saudi Judiciary. Importantly, the discussion covers the jurisdiction of these new Courts, and trying to answer an important question which is, do the new Commercial Courts have the jurisdiction over all traders' disputes and disputes that have a financial or economic nature? Then, the paper tries to provide recommendations regarding these new Courts' jurisdiction specialties, that may increase its effectiveness and the unified the Mechanism of resolve commercial disputes and disputes that have a financial or economic nature.

Key words: *The new Judiciary Law, New Commercial Courts, Jurisdiction, Financial or Economic Disputes, judicial committees.*



Introduction

The Saudi Judicial Branch examines the Judiciary (Ordinary Courts) and the Board of Grievances (Administrative Courts). Thus, Kingdom's Judicial system is dividing to two different kind of court systems, likewise many different civil law countries which is known as "the dual judicial system." (Abdel 1988; Omar 2010) Each of these bodies are separate from each other. However, the jurisdiction to adjudicate various disputes that arise in the Kingdom is not limited to the Judiciary's Ordinary Courts and the Board of Grievances' courts. A number of committees with judicial power which related to Executive Authority, that have a narrow jurisdiction to settle a different commercial, criminal, and civil disputes and issues. (Jeerah) These committee been created for historical reasons that related to different reasons such as the Courts' willing to review a number of cases, (Alshehry 2011; Ayoub2007) also the Courts' developing and ability - before issuing the new Judiciary Law and the Board of Grievances Law of 2007 – to deal with the rash of new cases. These issues have emerged in Kingdom because of the enforcement of the new laws and regulations as normal result of the Kingdom's development in different fields in recent decades (Makhlouf 2013).

However, the issuing of the new Judiciary Law, (The New Law of Judiciary, Royal Decree No. M/78 of 1428 2007) and the Board of Grievances Law, (The New Law of Board of Grievances, Royal Decree No. M/78 of 1428 2007) 2007 the was a significant step toward developing the Saudi Judicial Branch, support its independence and its specialty. In addition, the Implementation Mechanism of the new Judiciary Law and the Board of Grievances Law been issued in conjunction with the issuing of these new laws, which contain provisions to facilitate and organize the implementation of both laws. The Implementation Mechanism has a special section to provide the steps to create the specialized new courts under the Judiciary's Ordinary Courts and a separate section to organizes the transfer of the jurisdiction of the different *judicial committees* to these Ordinary Courts (The Implementation Mechanism of the Judiciary Law and the Board of Grievances Law, Royal Decree No. M/78 of 1428 2007).

This introduction to the composition of the Saudi judicial system was important to get basic understanding for the system overview before going into the subject of the paper, and the jurisdiction of the new commercial courts.

Regarding to the new Commercial Courts, the issuing of the new Judiciary Law of 2007 has witnessed the born of a number of new Specialized courts within the Judiciary's Ordinary Courts beside the Commercial Courts. The Article 9 of the new Law listed the new courts within the First Instance Courts as follow: General Courts, Penal (Criminal) Courts, Family (Personal Statues) Courts, Labour Courts, and Commercial Courts.



The establishment of the new Commercial Courts is start of a new era regarding the deciding this kind of cases before specialized courts and specialized judges. This step will increase the effectiveness of deciding such cases and support the confidence of the dispute's settlements process, which may affect positively the business climate in the country.

In this paper the study will discuss these new Courts' judicial jurisdiction according to recent legal documents; moreover, the discussion will include the cases that fall outside these new Courts' jurisdiction. Before discussing the new Commercial Courts and their jurisdiction, it is important to highlight the timeline of the commercial dispute resolution the Kingdom of Saudi Arabia. To clarify the historical developing of resolving these disputes over the years since the unification of the Kingdom in 1932, which finished with develop the judicial structure overall in 2007 and opening the new Commercial Courts in 2017. (The Minister of Justice Launches the Commercial Courts Officially to Enhance the Investment Environment 2017) Then after, the paper would provide suggestion regarding these new Courts' jurisdiction specialties, that may increase these Courts effectiveness.

Commercial Dispute Resolution Timeline in the Saudi Legal System

The bodies that had the jurisdiction to decide the commercial issues as main commercial judiciary been changed through the years since the established of the Saudi Arabia. Indeed, the resolution of Commercial dispute has passed through different stages, before established the new Commercial Courts, according the new Judiciary Law in 2007.

The First stage of the commercial judiciary started with create the previous Commercial Court. The 1931 Law of Commercial Court discuss the Court formation and composition in Articles 432 through 442(Alfawzan 2010; Jeerah). The Commercial Court continually heard cases until 1955. The Court disbanded by a decision from the higher authorities for historical reasons (Omar 2010). The cancellation didn't extend to include the Commercial Court Law's provisions (Aljbr 1996; Jeerah). Thus, the judicial entities that had been entrusted to decide the commercial issues after the Commercial Court, continued to apply the Law of Commercial Court provisions in general and in particular Article 443 which draw the jurisdiction of cancelled Commercial Court (Aldosari 2014).

The second stage began after moving the jurisdiction over commercial issues to General Courts after the disbanded of the Commercial Court in 1955 as mentioned above, since the General Courts had the general jurisdiction to decide many different cases and disputes. However, the General Courts only had jurisdiction to hear commercial cases from 1955 until 1960 (Talib n.d).

The third stage began with the Council of Ministers' Decision No. 228 of 1380 H (1960), which prepare the way to create the Committees of Commercial Disputes Settlement as



special judicial body to consider the commercial issues under the Ministry of Commerce and Investment (MCI). This order gave the Minister of Ministry of Commerce and Investment (MCI) the authority to assume the specializations of the former Commercial Court (Jeerah). In 1962, based on the Council's Decision, the Minister established the Committee for Settlement of Commercial Disputes, as well as an appellate body to hear the objections to this Committee's decisions (The Minister of Commerce and Investment Decision No. 277 of 1382 1962). These bodies were directly under the MCI's executive authority, and the Minister had the authority to ratify their decisions (The Minister of Commerce and Investment Decision No. 277 of 1382 1962). This historical stage which counted for about 25 years, these committees and authorities had jurisdiction over most commercial cases. However, the Minister of MCI's Decision of 1962 that mentioned above witnessed a number of modifications with regard to the committees' judicial function and formation to improve the functions of these committees due to the development of markets and the issuance of new laws related to commercial field.

The fourth historical stage of the Commercial judiciary started with the Council of Ministries Decision No. 241 of 1407 H (1987). This Decision transferred the MCI Commercial Authorities' jurisdiction to the Board of Grievances- "the Administrative Courts" -which is one of component of the Saudi judiciary beside the Ordinary Courts.

The Commercial Circuits within the Board of Grievances have been competent to consider the commercial issues that related from implementing of various commercial laws. Therefore, beside the jurisdiction of Board's Commercial Circuits over the cases that arising from the 1931 of Commercial Court Law, the Circuits had the authorities to consider the cases that arising from the application of various laws that issued due to development of market in Saudi Arabia in the last quarter of the last century, (Makhlouf 2013) such as: Companies Law, (The Companies Law, Royal Decree No. M/3 of 1437 2015) Law of Commercial Books, (The Law of Commercial Books, Royal Decree No. M/61 of 1409 1989) Law of Settlement Against Bankruptcy, (The Law of Settlement Against Bankruptcy, Royal Decree No. M/16 of 1416 1996) Law of Trademarks, (The Law of Trademarks, Royal Decree No. M/21 of 1423 2002) and Anti-Commercial Fraud Law(The Anti-Commercial Fraud Law, Royal Decree No. M/19 of 1429 2008).

As may be expected, the Board's judges of the Commercial Circuits have played a significant role in the development of commercial justice through their decisions concerning various trade issues for over thirty years. This long experience may be what prompted the regulator to transfer these Circuits to the new Commercial Courts via the Implementation Mechanism of the Judiciary Law and the Board of Grievances Law of 2007. (The Implementation Mechanism of the Judiciary Law and the Board of Grievances Law, Royal Decree No. M/78



of 1428 2007) These new Courts finally opened officially in 2017 which reflect the current stage for the Commercial judiciary in the Kingdom of Saudi Arabia.

The Jurisdiction of the Commercial Court According to the Law of Commercial Court of 1931

As one of the oldest laws and regulations in the Saudi Arabia, the Law of Commercial Courts of 1931 was the first legal document that determined the jurisdiction of the judicial bodies that decide the main judicial disputes over the time.

The Law of Commercial Court in Article 443 sets the judicial jurisdiction of the previous Commercial Court. The Article states that the Court jurisdiction including the following commercial disputes:

- a. “Everything that happens among the traders and those who have a commercial relationship with them, of exchangers, brokers, warehouse and enclosed area providers, whether problems or disputes arising from a purely commercial matters whether onshore or offshore.
- b. The cases arising from the exchange and in particular the exchange of cash and values and securities, and what is related to regular barriers and commercial barriers and the commercial bonds.
- c. The problems that happen between the employers of sailing ships concerning the damages, collisions and infringements at all, as well as the transportation fares.
- d. The cases arising from the difference in pledges and contracting whether between the employers of ships or between those and the traders, as well as the financial guarantees concerning the commercial matters.
- e. The cases that happen between the partners whose partnership is associated with their commercial assets, or between the companies of different types being established and registered in accordance their special laws, as well as among other traders, money changers and enclosed area providers, trustees and agents by commission and their scribes and the servants of their places if they have a commercial relationship.” (The Law of Commercial Court, Royal Decree No. 32 of 1350 1931).

These provisions have been applied evenly over the years and by the various entities that had jurisdiction to settle commercial disputes in the different historical stages mentioned previously, prior to the establishment of new Commercial Courts. The Article been cancelled after the issuing of the new Law of Procedure of 2013 and the official start of the Commercial Courts in 2017. In fact, the Preamble of the new Law of Procedure of 2013 cancelled the Third and Fourth Parts of the Law of Commercial Court including the Article 443 provisions. The Article 35 of Procedure Law listed the cases that within the jurisdiction of the new Commercial Courts as it will be discussed later in the next point that discuss the new



Commercial Courts' jurisdiction (The New Law of Procedure, Royal Decree No. M/1 of 1435 2013).

The New Commercial Courts under the 2007 Judiciary Law

The new and current stage of the Commercial dispute resolution been started after the establishment of the new Commercial Courts; which began their mission in 2017. The commercial cases that formerly decided by the Board's Commercial Circuits will be decided by the new Commercial Courts, since the 2007 Implementation Mechanism of the Judiciary Law and the Board of Grievances Law contains provisions that regulate the transfer of the Commercial Circuits of the Board to the Commercial Courts, (The Implementation Mechanism of the Judiciary Law and the Board of Grievances Law, Royal Decree No. M/78 of 1428 2007) and this was already done before the official launching of Commercial Courts in 2017 (Omar 2010).

In this regard, a Circular been issued from the Chairman of Supreme Judicial Council to all courts in 2017 contain some provisions related to the new Courts' functions (The Chairman of Supreme Judicial Council Administrative Circular No. 967/T of 1439 2017). The circular declared that the commencement of the Commercial Courts missions will start from 21 September 2017. It was also clarified that the judgments issued by the first instance commercial courts are final in commercial cases where the original claim value does not exceed 20,000 Saudi Riyals (Around 5,300 US Dollars).

Importantly, the Circular specified the Courts' panels formation depends on the cases' kind and the value of the claims. The cases that original claims do not exceed 300,000 Saudi Riyals (Around 80,000 US Dollars) from panels composed of one judge. While panels consisting of three judges should hear cases that related to the Companies Law and Law of Commercial Agencies beside the claims that their original claims exceeding three hundred thousand Saudi Riyals. Finally, the administrative circular stressed that the filed the cases and referred to Commercial Courts should be electronically through the Ministry of Justice website.

The Jurisdiction of the New Commercial Courts

Regarding to the new Courts' jurisdiction, as highlighted above, the jurisdiction of the previous Commercial Circuits of the Board of Grievances was moved to the new Commercial Courts. That include, the commercial disputes between traders, and the issues that involve traders because of their commercial activates. In addition, the issues that related to commercial actions, as it highlights at the Law of Commercial Court provisions (Alsahli 2014). These issues were included in Article 35 of the new Law of Procedure.

In short, the new Courts will inherit jurisdiction of the Board of Grievances' Commercial Circuits. The same thing will apply to the different issues that was arising from applying of different commercial laws, which was deciding by the Board of Grievances' Commercial Circuits as mentioned previously when discussing the Board's Circuits jurisdiction over the commercial issues. The jurisdiction to deciding these cases are moving within the new Courts authority (Makhlouf 2013).

The new Law of Procedure listing in Article 35 the disputes that are within the new Commercial Courts' jurisdiction, and provides that the new Courts shall have jurisdiction over the following:

- a. "All commercial disputes, whether original or corollary (accessory), occurring between traders.
- b. Lawsuits filed against the trader because of the original or corollary (accessory) acts thereof.
- c. Disputes occurring among partners in partnerships.
- d. All lawsuits and violations relating to commercial laws without prejudice to the jurisdiction of the Board of Grievance.
- e. Bankruptcy lawsuits, interdiction of the bankrupt, or lifting thereof.
- f. Other commercial disputes." (The New Law of Procedure, Royal Decree No. M/1 of 1435 2013).

The Article provides that the Courts have the jurisdiction over any "other commercial disputes." Thus, jurisdiction of Courts may well include any commercial issues that may emerge due to developing of the markets and commercial activities.

The Judicial Committee of Determine the Jurisdiction of New Commercial Courts

According to the Chairman of Supreme Judicial Council Decision No. 2826 that issued in October 2017, a special judicial committee has been formed- contains seven members- to determine the jurisdiction of Commercial Courts and to study the cases' types that received by these new Courts The Chairman of Supreme Judicial Council Decision No. 2826 of 1439 2017). The Committee's mission included the determine the problems concerning the subject-matter jurisdiction and prepare the practical proposals for addressing these cases. The Committee issued a "*minutes*" contain several points to determine the main cases that within the new Commercial Courts jurisdictions, as well, the other cases that not within the Courts' jurisdictions. Importantly, the Committee's "*minutes*" have been approved by the Chairman of Supreme Judicial Council and have been sent to all the courts to act on the Committee's recommendations and the provisions that listed in the "*minutes*." (The Chairman of Supreme



Judicial Council Administrative Circular No. 979/T of 1439 2017).

The Committee decide in its “*minutes*” the jurisdiction of Commercial Courts’ over the prominent conflicts, which frequently occur. These issues are including, Lawsuits Concerning Building Construction Contracting, and the cases Concerning Supplying issues. For both of these cases, to convene the jurisdiction of the Commercial Court, the parties of the dispute should be contractors/supplier, or even the defendant is a contractors/supplier; moreover, if the party of the contract with the contractors/supplier is a trader and has signed the contract for his original or corollary (accessory) commercial transactions.

The Committee confirm the jurisdiction of the new Commercial Courts over lawsuits concerning brokerage. The Commercial Courts consider these issues in the case that the both parties of the lawsuit are brokers, also if the defendant was the broker. As well, the Courts could hear the case if the broker filing the case, even if he doesn’t practice brokerage as a profession, and the defendant was a trader, and the dispute about a contract for his original or corollary (accessory) commercial transactions.

In a separate section, the Committee’s “*minutes*” highlight the issues that are within commercial courts’ jurisdiction, with accordance to what is stated in Article 35 of the Law of Procedure. The Commercial Courts have the jurisdiction to decide the damage claims that filed against traders for their original or corollary (accessory) commercial transactions, whether the claimant is a party of the contract or not, with the exception of what is within the General Courts’ jurisdiction, including lawsuits concerning real estates and lawsuits arising from traffic accidents.

As well as, company does not consider as a merchant if its field of activity is not commercial, even if it is subjected to the Companies Law. For example, the companies whose practice of any of the following works: (hospitals - education - engineering consultation, and accounting). Therefore, lawsuits against such companies are not within the jurisdiction of Commercial Courts. However, if a company practices a commercial activity, it has the merchant status within the bounds of this activity. Thus, a lawsuit shall be filed against it at Commercial Courts if it is related to that particular activity.

Moreover, the Committee confirmed the commercial courts' jurisdiction over the disputes occurring among partners in companies, regardless of the type of the company. In the same context, with the exception of companies that subject to the Companies Law, if the purpose of the company is to trade or invest in the property or real estate without determining a specific property, the dispute between partners is within the jurisdiction of Commercial Courts. On the other hand, If the partnership between the parties of the company on a particular property, the disputes that may arise from such company is within the General Courts, and not within



the jurisdiction of Commercial Courts.

Finally, the Committee approved that the Commercial Courts' jurisdiction concerning all lawsuits and violations related to the commercial laws; such as, Companies Law, Law of Commercial Books, Law of Commercial Register, The Law of Commercial Lien, the Law of Commercial Data, and Law of Commercial Agencies. However, the Committee mentioned that the Commercial Courts - *currently* - do not have the jurisdiction to decide the violations that concerning commercial laws which under the jurisdiction of *judicial committees*, according to special provisions. The same thing applies to the violations that related to some commercial regulations which decide- *currently* - by the Criminal Courts.

In sum, the Committee's "*minutes*" included many provisions that defined the jurisdiction of new Commercial Courts and the most prominent cases that fall outside of the jurisdiction of these new judicial entities.

The Disputes and the Cases That Fall Outside the Commercial Courts Jurisdiction

As discuss above, the jurisdiction of new Commercial Court does not cover number of issues. This lack of competence is due because the entering of some cases within the other ordinary courts' jurisdiction and entering of another range of commercial-related disputes and cases with financial or economic nature within various *judicial committees*' jurisdiction.

The Cases that Outside the Commercial Courts' Jurisdictions and within the Jurisdiction of another Judiciary's Ordinary Courts

Notwithstanding that Article 35 of Law of Procedure mentioned that the jurisdiction of Commercial Courts includes "Lawsuits filed against the trader because of the original or corollary (accessory) acts thereof," (The New Law of Procedure, Royal Decree No. M/1 of 1435 2013) this provision is not applying to all issues. In fact, to bring the cases that filed against the traders before the Commercial Courts, these cases must be not within the jurisdiction of other courts. One of these cases is the climes that involving traffic accidents brought against traders because of their commercial activity must be brought before the General Courts, not the Commercial Courts, since the General Courts have the jurisdiction to consider this type of cases according to Article 31 of the New Law of Procedure. (The New Law of Procedure, Royal Decree No. M/1 of 1435 2013) The same issue applying to real estate cases. The lawsuits relating to real estate, regardless of the status of parties to the cases and whether they are traders or not, fall within the jurisdiction of the General Courts. (The New Law of Procedure, Royal Decree No. M/1 of 1435 2013).

Moreover, labour cases that falling between the merchants and the labours that related to labour contracts are not heard from Commercial Courts. This kind of cases is within the jurisdiction of the new Labour Courts (The New Law of Procedure, Royal Decree No. M/1 of 1435 2013). Finally, the Commercial Courts, and as mentioned previously, do not have the jurisdiction to decide the commercial paper issues with respect to common right, which is moved to Criminal Courts jurisdiction in 2017 from the Committee of Commercial paper in the Ministry of Commerce and Investment (The Chairman of Supreme Judicial Council Administrative Circular No. (T/998) of 1439 2017).

Cases that outside the Commercial Courts' Jurisdictions and within the Jurisdiction of Judicial Committee

As alluded in the introduction of this Paper, in the Saudi judicial system there are many *judicial committee*- committee with a power to decide cases to consider the different issues outside the Judiciary's umbrella 'as a Judicial Authority (Ordinary Courts and Board of Grievances). In practical, these committees have jurisdiction over cases and/or the violation that may arise from the enforcement of particular laws. These same laws often contain articles that create these committees and organize their jurisdiction and functions for each of these committees. Importantly, these *judicial committees* are not part of the Saudi Judicial Authority which contains both the Judiciary (Ordinary Courts) and the Board of Grievances (Administrative Courts), instate they are only bodies part of the Executive Authority and located under the various ministries and government institutions (Riyadh Economic Forum, 2015). A number of these bodies are deciding important cases that have a commercial or financial nature.

The most prominent committees that have jurisdiction to adjudicate commercial-related cases, and important issues that have a financial and economic natural are as following:

- 1- The Committee for Settlement of Securities Disputes. Special committee under the Capital Market Authority (CMA) (The Capital Market Law, Royal Decree No. M/30 of 1424 2003). The Committee has the jurisdiction to decide the Securities disputes.
- 2- The Committee of Banking Disputes. A body established under the Saudi Arabian Monetary Authority (SAMA), and have the authority to decide the banking issues (The Regulation of the Committee of Banking Disputes, Royal Order No. 37441 of 1433 2012).
- 3- The Committee for the Resolution of Insurance Disputes and Violations. The Committee has the power to consider the disputes that related to the insurance issues, and it was established under the Ministry of Finance (The Cooperative Insurance Companies Control Law, Royal Decree No. M/32 of 1424 2003).

- 4- Financial Disputes. See below.
- 5- The Committee for Financial Disputes and Violations. This Committee been created with the issuing of the Finance Companies Control Law of 2012 to consider the violations and disputes that may arising from the application of the provisions of this Law. In the line with the Committee of Banking Disputes, the Financial Committee was established also under SAMA as government institution (The Finance Companies Control Law, Royal Decree No. M/51 of 1433 2012).
- 6- Customs Committee. This Committee considering the crimes and violations committed against the Customs Law of 2003. The Committee is link it to the Ministry of Finance (The Common Customs Law of the GCC States, Royal Decree No. M/41 of 1423 2003).

Conclusion

The issuing of the new Judiciary Law and the Board of Grievances Law and the Implementation Mechanism of the Judiciary Law and the Board of Grievances Law in 2007 was an important step to develop the judicial facility. The Judicial Law introduced a new concept in support of judicial specialization through the establishment of a new specialized courts in the first instance courts headed Commercial Courts.

The new Commercial Courts achieved an important step in regarding resolve commercial cases within the jurisdiction of Commercial Courts effectively and in the shortest possible period. Indeed, many developments have been made in the field of judicial services and litigation procedures with respect to commercial cases. These services including but not limited to the possibility of filing commercial lawsuits through the Ministry of Justice's electronic portal, electronic inquiry on the commercial case, access to judgments, application for electronic appeal, filing the first defence memorandum and informing the parties to the case. All these services facilitated and accelerated the proceedings before the new Commercial Courts and greatly improved trial procedures before them. The new Courts issued around 28 thousand judgments in the different commercial cases through last year (The Commercial Courts Issue 28,000 Judgments this Year 2019).

Regarding Commercial Courts' jurisdiction, the cases that decide by *judicial committees* and have financial or economic nature, the door is open to moving these jurisdictions to the new Commercial Courts as specialized panels or circuits within these existing Courts. This could be done specially that the 2007 Implementation Mechanism of the Judiciary Law and the Board of Grievances Law contain provisions to organize the transferring the jurisdictions from the different *judicial committees* in general to the Judiciary's Ordinary Courts, including the Commercial Courts.



Moreover, the transferring could be done by moving these committees' jurisdiction to a new economic or financial specialized courts since the new Judiciary Law allow to establish a new specialized courts by giving the Supreme Judicial Council, as highest judicial body in the Kingdom, the authority to establish a new specialized courts, (The New Law of Judiciary, Royal Decree No. M/78 of 1428 2007) after the approval of the King, who is by the Law “the point of reference” for all authorities including the Judiciary (The Basic Law of Governance, Royal Order No. A/90 of 1412 1992). However, if it difficult to transfer the jurisdictions of some of these committees, practically or systematically, to the existing Commercial Courts or new specialized court under the 2007 Judiciary Law, their jurisdiction could be transferred to a new independent judicial body as a new component of the Judicial Branch beside the Ordinary Courts and the Board of Grievances.

The Seventh Session of Riyadh Economic Forum of 2015, stressed that the multiplicity of bodies that decide the commercial and financial disputes could affect the economic development and foreign investment (Riyadh Economic Forum 2015). The Forum in this study highlight that the relationship between the *judicial committees* and the different government bodies under the government body that part of executive authority may affects the trust of the impartiality of the dispute resolutions process before the committees, especially if those executive institutions are part of these disputes (Riyadh Economic Forum 2015).

The improving of the environment of dispute resolution system through the issuing of the new Judiciary Law which organize the establishment of the new specialized courts including the Commercial Courts and allowed to create new specialized courts. These efforts justify the desire of decision-makers in the Kingdom for further development in the business environment through increasing the effectiveness of judicial institutions. This such step is one of the Kingdom's decisions-makers to achieve the initiatives to economic prosperity and promote an investment climate which the Kingdom's “Vision 2030,” try to achieve, as overall national development plan for the next generations and the country future (Matt & Hadley 2016).



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