

**Saudi Sport Arbitration Center**

# **STATUTE**

## Section I. Definitions

### Article 1: Definitions

For the implementation of this Statute provisions, the following definitions refer to the interpretations, concepts and meanings as, stated against each, unless the text otherwise expressly provides for or the context otherwise requires. Reference to the singular shall include the plural and vice versa:

- 1.1 **"Kingdom" or "KSA"**: Kingdom of Saudi Arabia.
- 1.2 **"Olympic Charter"**: Olympic Charter of the International Olympic Committee (IOC) and amendments thereto.
- 1.3 **"CAS"**: Court of Arbitration for Sport in Lausanne.
- 1.4 **"SAOC"**: Saudi Arabian Olympic Committee.
- 1.5 **"Sports Federations"**: National sports federations in Saudi Arabia.
- 1.6 **"SAFF"**: Saudi Arabian Football Federation.
- 1.7 **"SSAC Statute" or "Statute"**: Statute of the Saudi Sport Arbitration Center.
- 1.8 **"SSAC"**: Saudi Sport Arbitration Center.
- 1.9 **"SSAC Board" or "Board"**: Board of the Saudi Sport Arbitration Center.
- 1.10 **"President of the Board"**: President of the SSAC Board who acts as the President of the Center.
- 1.11 **"President of the Panel"**: President of the Arbitration Panel.
- 1.12 **"Secretary General"**: SSAC Chief Executive Officer.
- 1.13 **"Club"**: A sports organization with a legal personality and member of the related federation.
- 1.14 **"Simple Majority"**: The approving members whose number is more than half of the total number of present members who have the right to vote.
- 1.15 **"Absolute Majority"**: The approving members whose number is more than half of the total members who have the right to vote.
- 1.16 **"Relative Majority"**: The approving members whose number represents a certain percentage of the total members.
- 1.17 **"Arbitration Award" or "Award"**: Any final and binding arbitral awards issued by the SSAC through Arbitration Divisions.
- 1.18 **"Arbitration Agreement"**: An agreement, between two or more parties, providing that any or all disputes which arose, or may arise between them due to any relationship, contractual or non-contractual, whether the arbitration agreement is an arbitration clause provided in a

contract or an independent arbitration agreement, shall be referred to the arbitration.

- 1.19 **"Arbitration Panel" or "Panel"**: A panel composed of a single arbitrator or a group of arbitrators assigned to resolve any dispute referred to arbitration.
- 1.20 **"Parties"**: The parties of a dispute, i.e. Claimant and Respondent, in any arbitration case.
- 1.21 **"Ordinary Arbitration Division"**: The SSAC competent body for resolving any contractual disputes which may arise out of an arbitration clause in the contract stipulating that such dispute shall be referred to the SSAC.
- 1.22 **"Appeals Arbitration Division"**: The SSAC competent body for deciding on all appeals against final decisions issued by sports-related bodies after exhausting all internal legal procedures, except for football-related decisions.
- 1.23 **"Football Dispute Arbitration Division"**: The SSAC competent body for deciding on all appeals against final decisions issued by the Saudi Arabian Football Federation (SAFF) and its committees after taking all SAFF internal legal procedures, in accordance with the SAFF Rules and Regulations.
- 1.24 **"Mediation Division"**: The SSAC competent body for mediation and settlement of disputes within the jurisdiction of the SSAC.
- 1.25 **"Sports Bodies"**: Any Saudi sports-related body, such as Saudi Arabian Olympic Committee, national sports federations and clubs.
- 1.26 **"Procedural Rules" or "Rules"**: The Procedural Rules of the Saudi Sport Arbitration Center (SSAC).

## **Section II. Foundation and Legal Reference**

### **Article 2: SSAC**

The SSAC is the body which has the supreme and exclusive power to resolve sports disputes and sports-related disputes by arbitration or mediation. It is an independent and impartial body, with a legal personality and financial and administrative independence. It shall be represented by the President of the Board or his authorized representative.

### **Article 3: Legal Basis for SSAC Practices**

The SSAC Statute, Regulations, Procedural Rules and every amendment thereto as well as the resolutions issued by the Board shall constitute the legal basis for conducting and practicing arbitration for sport within the Kingdom, and likewise, issuing arbitration awards regarding all sports disputes and sports-related disputes.

### **Article 4: Legal Reference**

The SSAC was established in accordance with the Olympic Charter, the Statutes of International Sports Federations (IFs), CAS Rules and Regulations, and Saudi Law of Arbitration.

## **Section III. SSAC General Principles, Jurisdiction and Legal Nature of Arbitration Awards**

### **Article 5: SSAC Principles**

The SSAC shall conduct its activities in accordance with the following principles:

- 5.1 Independence and impartiality;
- 5.2 Fairness of procedures and equitable representation for all parties; and
- 5.3 Equality for all parties to litigation.

### **Article 6: SSAC Headquarter and Arbitration Panels**

The SSAC headquarter shall be located at the city of Riyadh. The Arbitration Panels may conduct the procedures of settlement of disputes that fall within their jurisdiction outside the SSAC headquarter anywhere in the Kingdom.

### **Article 7: SSAC Jurisdictions**

By virtue of the provisions of this Statute, the SSAC shall have jurisdiction over:

- 7.1 Sports disputes and sports-related disputes, including but not limited to the following:
  - 7.1.1 Disputes that may arise among the Saudi Arabian Olympic Committee (SAOC), Sports Federations, Sports Clubs, its Board members, General Assembly Members, athletes, referees, officials, coaches, authorized media representatives, agents, sport events organizers, sponsors and/or broadcasters.
  - 7.1.2 Disputes related to the fight against doping in sport.
  - 7.1.3 Disputes arising from contracts including an arbitration clause that refers any dispute to the SSAC.
  - 7.1.4 Sports disputes with an international issue (foreign player or coach... etc) if contracts stipulate that arbitration shall fall within the jurisdiction of the SSAC.
- 7.2 Disputes over the SSAC jurisdiction.
- 7.3 The following disputes shall be excluded from the SSAC jurisdiction:
  - 7.3.1 Criminal disputes or lawsuits even if they have arisen due to a sports dispute.
  - 7.3.2 Resolutions issued by judicial bodies concerning technical rules of the game.
  - 7.3.3 Sports disputes that have not exhausted all internal legal means in the Sports Bodies embroiled in the dispute.

### **Article 8: Legal Nature of Arbitration Award**

- 8.1 Arbitration Award issued by the SSAC shall be final and non-appealable before any other authority, whether inside or outside the Kingdom, unless otherwise stated in the Statute.
- 8.2 The SSAC jurisdiction shall be applicable only when the dispute is reported in less than 21 days by the disputing parties through official channels as defined by the concerned regulation.
- 8.3 In sports disputes, if any of the parties to the dispute is a foreigner, then the awards may be appealed before the International Sports Federations (IFs) or CAS, in case the IFs' Statute stipulate that appeal shall be made before their judicial bodies. In case the contract stipulates that the arbitration shall fall within the SSAC jurisdiction, then the SSAC Award shall be final and non-appealable before any other authority.

## **Section IV. SSAC Organizational Structure**

### **Article 9: Components of SSAC Organizational Structure**

The SSAC Organizational Structure is composed of the following three units:

- 9.1 Board of Directors;
- 9.2 General Secretariat; and
- 9.3 Arbitration Divisions (Ordinary, Appeals, Football, Meditation, Special)

#### **First Unit**

#### **SSAC Board of Directors**

### **Article 10: Structure of the Board**

The Board is composed of five (5) members, chosen as follows:

- 10.1 The Saudi Arabian Olympic Committee (SAOC) shall choose one member from within or outside the SAOC, to be the President of the Board.
- 10.2 The SAOC Athletes' Commission shall choose one member from within or outside the Commission.
- 10.3 The Saudi Arabian Football Federation (SAFF) shall choose one member from within or outside the SAFF.
- 10.4 The SAOC General Assembly shall choose two (2) members; one representing individual sports federations and the other representing team sports federations.

### **Article 11: Board Responsibilities**

The Board shall:

- 11.1 Maintain the SSAC independence;
- 11.2 Reserve the rights of the parties to dispute;
- 11.3 Appoint the Secretary General of the SSAC;
- 11.4 Choose presidents of the arbitration divisions;
- 11.5 Propose an amendments to Statute;
- 11.6 Approve the internal regulations;
- 11.7 Interpret the Statute and all related regulations and resolutions;
- 11.8 Approve the annual budget of SSAC;
- 11.9 Issue administrative and financial regulations of SSAC;
- 11.10 Approve the annual report of SSAC activities;
- 11.11 Approve the organizational structure of SSAC;
- 11.12 Appoint an external auditor;

- 11.13 Appoint any experts, counsels or anyone from Sports Bodies to accomplish any of its tasks;
- 11.14 Establish temporary committees, if required;
- 11.15 Consider all matters that are not stated in Statute;
- 11.16 Approve the lists of arbitrators, mediators and experts;
- 11.17 Suspend or remove arbitrators;
- 11.18 Decide on requests of recusal of arbitrator;
- 11.19 Determine fees of the arbitrators, mediators, experts and arbitration according to the regulations issued by the SSAC in this regard;
- 11.20 Supervise the administrative body;
- 11.21 Propose establishment of SSAC's temporary and permanent branches;
- 11.22 Approve requests for legal assistance; and
- 11.23 Appoint an external auditor.

### **Article 12: Requirements for Board Members:**

The Board members shall:

- 12.1 Be Saudi nationals;
- 12.2 Hold a bachelor degree; in case of the President of the Board and his Deputy the degree shall be in the field of Shariah or law or an equivalent major;
- 12.3 Be more than thirty (30) years old and less than sixty-five (65) years old;
- 12.4 Have an experience not less than ten (10) years in sports activities or sports-related activities, and, in case of the President of the Board and his Deputy , experience shall be in the field of law; and
- 12.5 Not be previously convicted, by an irrevocable judgment, for a crime against honor or honesty, even if they have been acquitted.

### **Article 13: Expiration of Board Membership:**

- 13.1 The Board membership shall cease to be for the following reasons:
  - 13.1.1 Death;
  - 13.1.2 Resignation; or
  - 13.1.3 Expiry of membership term as set forth in article (14) herein.
- 13.2 The Board membership shall be terminated by a decision from SAOC General Assembly in the case of breaching the provisions of this statute in general and article (12) in particular.

### **Article 14: Term of Board Membership**

- 14.1 The term of Board membership shall be four (4) years, renewable in accordance with the provisions of article (10) herein.



- 14.2 If there is vacant seat for any of the Board members, the new member shall be selected or nominated in accordance with the provisions of article (10) herein.

### **Article 15: Board Meetings**

- 15.1 Meetings of the Board shall be chaired by the President of the SSAC. In case of his absence, his deputy shall become in charge of the meeting. In case both of them are absent, then the meeting shall be chaired by anyone who is delegated by the President of the Board.
- 15.2 The Board shall hold an ordinary meeting six (6) times at least every fiscal year. The Board may be summoned for an extraordinary meeting whenever required.
- 15.3 The Secretary General shall send a written invitation to the members, along with the agenda and annexes, upon the approval by the President of the Board, fifteen (15) days at least prior to the meeting date.
- 15.4 Each member of the Board has the right to propose new subjects to be included in the agenda. These subjects shall be submitted to the General Secretariat on the day following the date of receiving the meeting invitation.
- 15.5 The President of the Board has the right to invite anyone he sees appropriate to attend the meeting and discuss any matter related to SSAC activities. This person has no right to vote.
- 15.6 The Secretary General shall attend meetings of the Board and contribute to the meeting discussions without having the right to vote.
- 15.7 Modern technologies may be used in the meetings of the Board.
- 15.8 Decisions taken by the meeting shall be registered in a special record prepared for this purpose. Such record shall be signed by the President of the meeting and Secretary General.

### **Article 16: Quorum for Board Meetings**

- 16.1 If the meeting is attended by the absolute majority of members, then the meeting shall be valid.
- 16.2 If the quorum is not reached, then the meeting shall be adjourned for a period from one hour to twenty-four hours (1-24 hrs). After this period, the meeting shall be valid if attended by one-third of the Board members, provided that the President, his deputy or Secretary General is present.

### **Article 17: Validity of the Board's Resolutions**

- 17.1 The Board's resolutions shall be valid and binding if they are approved by the simple majority of the Board members. The chairperson of the meeting shall have the casting vote in case of a tie.. In case the meetings are adjourned because the quorum is not reached, then the taken resolutions shall be effective only upon approval by all members present.
- 17.2 In case the meeting is held properly, then withdrawal of members from the meeting shall not affect the validity of the resolutions taken in the meeting, provided that the number of members present shall not be less than the simple majority of members.
- 17.3 Any member of the Board shall withdraw from the discussion and participation in decision making process if there is any doubt or possibility of a conflict of interest.
- 17.4 The resolutions taken by the Board shall be in force immediately, unless otherwise stated.

**Second Unit**  
**General Secretariat**

**Article 18: Appointment of the Secretary General**

The Secretary General shall be appointed by the Board.

**Article 19: Secretary General's Authorities**

The Secretary General shall:

- 19.1 Be responsible for the Board Secretariat;
- 19.2 Manage the administrative body in terms of financial and administrative aspects;
- 19.3 Receive arbitration requests and requests for settlement of disputes, and refer them to a counsel to ensure the completion of all papers and documents prior to referring them to the president of the concerned arbitration division;
- 19.4 Inform the Board of the arbitration request and attaching a copy thereof;
- 19.5 Publish the lists of arbitrators and mediators annually, and provide the parties to dispute with their names and CVs;
- 19.6 Prepare a special record for registering the arbitration requests and requests for settlement of disputes;
- 19.7 Develop an Integrated Archive System (IAS) to archive and save all arbitration awards;
- 19.8 Receive and reply to all corresponding related to arbitration requests and requests for settlement of disputes;
- 19.9 Inform all parties to litigation of all information, dates and venues of arbitration hearings;
- 19.10 Supervise the department of development, training and qualification of arbitrators and experts;
- 19.11 Record and document the minutes of the Board meetings;
- 19.12 Provide the Board with an annual report of SSAC activities, tasks and future plans;
- 19.13 Make all correspondence and communication with all related authorities inside or outside the Kingdom;
- 19.14 Choose the SSAC administrative staff; and
- 19.15 Carry out any works assigned to him by the Board.

### **Third Unit**

#### **Obligations of the Board Members and Secretary General**

##### **Article 20: Obligations of Board Members and Secretary General**

- 20.1 The members of the Board and Secretary General shall exercise their functions with total objectivity, independence and impartiality; always respect the SSAC Statute, Regulations and Awards; keep the confidentiality of their functions; avoid and disclose any conflicts of interests; and, prior to exercising their functions, sign an acknowledgment of these aforementioned principles.
- 20.2 The members of the Board, Secretary General, members of administrative body shall not be allowed to conduct arbitration works at the SSAC or to act before the SSAC Arbitration Panels in any form of related capacities, such as arbitrators, experts, mediators or lawyers.

##### **Article 21: Responsibilities of the Board Members and Secretary General**

The President of the Board and Secretary General shall be responsible for the management of SSAC according to the SSAC Statute, Regulations and Awards.

## **Section V. Administrative Body, Training and Qualification**

### **Article 22: Administrative Body of SSAC**

The administrative body is composed of:

- 22.1 Secretary-General;
- 22.2 Secretary-General's consultants; and
- 22.3 Administrative staff.

### **Article 23: Training and qualification**

A department of development, training and awareness shall be established under the supervision of the Secretary General. Such department shall carry out all tasks that would assist in qualification and training of arbitrators, experts and mediators. In particular, it shall:

- 23.1 Organize conferences, workshops and training courses.
- 23.2 Organize seminars and lectures.
- 23.3 Develop integrated programs for qualifying, classifying and licensing arbitrators, mediators and experts.
- 23.4 Coordinate with Sports Bodies competent for development and training, whether inside or outside the Kingdom.
- 23.5 Coordinate with CAS and other international bodies for organizing common programs for development and training.
- 23.6 Issue SSAC publications and brochures.
- 23.7 Publish brief summaries of SSAC Arbitration Awards periodically.

## **Section VI. Arbitration Divisions, Panels and Arbitrators**

### **Article 24: Arbitration Divisions**

The SSAC shall conduct the arbitration in sports or sports-related disputes through the following Arbitration Divisions:

- 24.1 Ordinary Arbitration Division which shall carry out its tasks in accordance with the following powers:
  - 24.1.1 To resolve sports-related disputes that may arise over contracts including an arbitration clause that refers any dispute to the SSAC, or over any subsequent agreement allowing the reference of disputes to the SSAC.
  - 24.1.2 To resolve sports disputes that may arise between the parties to any sports matter (athletes, players, agents, sponsors, administrative staff, technical staff, medical staff, sports clubs, sports federations and the Olympic Committee), provided that such disputes are not subject to appeal before the SSAC.
- 24.2 Appeals Arbitration Division which shall carry out its tasks in accordance with the following powers:
  - 24.2.1 To decide on all appeals against final decisions issued by the Sports Bodies after exhausting all internal legal procedures, except for Football decisions.
  - 24.2.2 To decide on objections filed against internal decisions issued by the Sports Bodies, which do not have appeal proceedings provided for in their Statutes or Regulations.
- 24.3 Football Dispute Arbitration Division which has the competence to decide on all appeals against the decisions issued by the Saudi Arabian Football Federation (SAFF) and its committees after exhausting all its internal legal procedures, in accordance with the SAFF Rules and Regulations.
- 24.4 Special Dispute Division which may be established by the SSAC to resolve all sports-related disputes referred by the General Sport Authority (GSA). The Board shall issue special regulations governing the procedures of such disputes.
- 24.5 Mediation Division which has the competence to mediate between and assist the concerned parties to reach settlement agreements in contractual disputes.

### **Article 25: Challenging the President of Arbitration Division**

In the case a request is made for challenging the President of an Arbitration Division, approved by the Board, the Secretary General shall take his place. The party, who has been recused, shall be prevented from receiving any information regarding the dispute.

#### **Article 26: Composition of Arbitration Panels**

Arbitration Panels shall be composed of three arbitrators or a single arbitrator (upon the request of the litigants) who shall be selected only from the SSAC-approved list of arbitrators.

#### **Article 27: Duty of the Arbitration Panels**

The main duty of the arbitration panels shall be the settlement of sports or sports-related disputes through different arbitration divisions set forth in this Statute in accordance with the SSAC Procedural Rules.

#### **Article 28: Fast Track Arbitration**

The SSAC shall provide the fast track arbitration system for urgent cases, provided that the Board approves the request for a fast track case based on a proposal made by the President of the competent Arbitration Division. The Board approval shall also determine the time limit to settle the dispute according to the circumstances and nature of each dispute. The case shall be considered in intensive hearings, provided that the time limit set by the Board shall not be exceeded.

#### **Article 29: List and Selection of Arbitrators**

- 29.1 When preparing lists of arbitrators and mediators, the representation of all Sports Bodies, whether federations, clubs or others as well as the geographical distribution shall be taken into consideration.
- 29.2 When selecting the arbitrators, their qualifications and experiences in the field of law, especially in a sports-related field, shall be taken into account.

#### **Article 30: Qualified Arbitrator in the List of Arbitrators**

The selected arbitrator shall be qualified to be enrolled in the list of arbitrators of Ordinary, Appeals and Football Arbitration Divisions.

### **Article 31: Obligations of Arbitrators and Confidentiality of Information**

31.1 Arbitrators and mediators shall exercise their functions with total objectivity and impartiality; abide by the SSAC Statute, Regulations and Awards; keep the confidentiality of information and not disclose them to third parties; and, upon appointment and prior to exercising their functions, sign an undertaking to be bound by these aforementioned principles.

31.2 All information provided by the parties to the dispute during the arbitration Sessions shall be confidential. Anyone who is provided with such information shall not disclose them, unless otherwise approved by the parties or requested by a competent judicial authority.



## **Section VII. SSAC Financial Matters**

### **Article 32: Legal Aid Fund**

A legal aid fund shall be established in the SSAC to address the defaults of payment, by some parties, of the financial costs and case expenses. The Board shall have the power to approve the request or not upon a proposal made by the Secretary General, provided that the Board shall issue a regulation governing the provisions of legal aid.

### **Article 33: SSAC Financial Resources**

The SSAC financial resources are:

- 33.1 Fees paid for the registration of claims.
- 33.2 Payments allocated by the SAOC and other Sports Bodies.
- 33.3 Revenues earned from conferences, courses and all activities carried out by the SSAC.
- 33.4 Financial contributions approved by the Board.

### **Article 34: SSAC Fiscal Year**

The SSAC fiscal year shall commence on the first of January of the calendar year and end on the thirty-first (31) of December for the same calendar year, except for the year of SSAC composition.

### **Article 35: Approval of the SSAC Annual Budget**

- 35.1 The SSAC shall have an external chartered auditor appointed by the Board.
- 35.2 The SSAC annual budget and the closing account statement shall be approved by the SAOC General Assembly.

## **Section VIII. General Provisions**

### **Article 36: SSAC-Approved Language**

The language approved in all SSAC correspondences and communications shall be Arabic, and English may be used, when necessary. There shall be an approved English version of the Statute, as well as other regulations, and if there is any difference between the Arabic and English versions, then the Arabic version shall prevail.

### **Article 37: Amendment to the Statute**

Any amendment to the Statute shall fall within the jurisdiction of the SAOC General Assembly, and any amendment to all internal regulations shall fall within the jurisdiction of the Board, with the approval of two-thirds of the members.

### **Article 38: References of Unmentioned Matters**

The regulations and proceedings of the Court of Arbitration for Sport (CAS) shall apply to any matter which is not mentioned in this Statute.

### **Article 39: Amendment of the Rules and Regulations of Sports Bodies; and Overcoming Difficulties and Obstacles.**

- 39.1 In applying this Statute and its regulations, all Sports Bodies shall amend their Statute and Regulations, in order to allow the disputes to be referred to the SSAC which is the supreme and exclusive body to settle the sports disputes or sports-related disputes in the Kingdom.
- 39.2 All Sports Bodies shall iron out all difficulties and obstacles, in order to enable the SSAC to perform its duties optimally in accordance with the provisions of the Statute.

### **Article 40: Communications and Correspondence**

- 40.1 All invitations or communications provided for in this Statute, approved Regulations or Rules or any other procedures for settling the disputes shall be in writing, and may be sent by facsimile or electronic means of communication as approved by the SSAC.
- 40.2 The communication shall be considered in effect as of the day following its delivery to the concerned person.

**Article 41: Enforceability of the Statute**

This Statute shall be in force from the date of its approval and publication by the SAOC General Assembly.

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