

Legal Awareness Guide

Strategic partner



وزارة الحج والعمرة
MINISTRY OF HAJJ AND UMRAH



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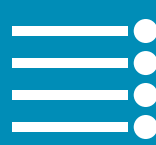
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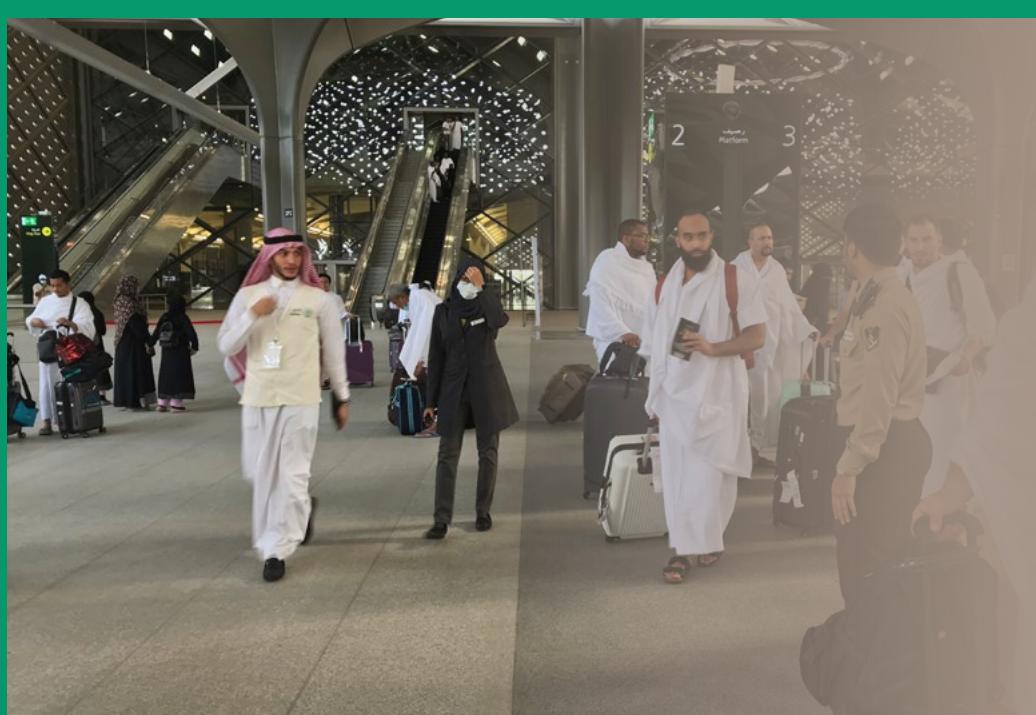
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Foreign Pilgrims

(Non-Saudi Pilgrims coming from abroad)





Arbab Al-Tawaif Companies

Categories and Specializations



- Agents companies: receiving, catering, and then seeing off pilgrims at the air, sea, and land ports.



- Tiwafah (circumambulation) companies: serving pilgrims in Makkah and the holy sites



شركة الزمازمة
ZAMAZEMAH CO.

- Al-Zamazima companies: who provide water for pilgrims in their homes on the outskirts of Makkah



- Guide companies: serving the visitors of the Prophet's Mosque





Service Providers Companies

They are the licensed companies to provide service to pilgrims.

According to:

The Ministry's accredited classification, description and levels of service

Freedom of Contracting With Service Providers

The pilgrim or his representative is free to choose and reach contracting with any of the companies providing the service, without any restriction

Commitments of Service Provider Companies



➤ Rational governance



➤ Disclosure and transparency



➤ Performing the service according to the Ministry's standards



➤ Work efficiency and company sustainability



➤ Performing services according to the number of contractors

The Quantitative and Qualitative Classification Guide

This guide is drafted by the Ministry of Hajj and Umrah



» Basic services



» Pricing mechanisms

The Guide Shall Observe the Following

Needs of the pilgrims, defining the conditions and requirements of the provision of service, including the necessary financial guarantees





The Level of Service

To ensure that the service is provided in accordance with the quantitative and qualitative classification guide:

Service provider companies should sign service level agreements

The Ministry of Hajj and Umrah prepares model for those agreements



Penalties



Without breaching any legally- approved tougher penalty, the companies of Arbab Al-Tawaif or sub-agent service provider companies or members of their board of directors or any of their member staff who violate the system in general or any of its executive decisions will be punished according to one or more of the following:

Penalties against the companies of Arbab Al-Tawaif or sub-agent service provider companies



» warning



» Financial fine of no more than SR500,000.while the punishment could be doubled if repeated.





- Cessation of activity of the violating company for one year or more so that the termination will not exceed three years



- Cancellation of the license granted to the service provider to practice the activity

Penalties against members of the board of directors of Arbab Al-Tawaif companies or sub-agent service provider companies or any of their member staff:



- warning



- Financial fine of no more than SR50,000.while the punishment could be doubled if repeated



- Removing a member from the Board of Directors or terminating his contract with the company



- Preventing him from joining a similar service provider company

Guarantee for Providing Best Service

Had its Provider Fell Short of Fulfilling His Obligations

In case any service provider company breaches its commitments, the Ministry of Hajj and Umrah manages to take all necessary measures to ensure



that the contracted service is provided to pilgrims



Assigning an alternative company to provide the service



Holding the violating company accountable of the costs

Grievance

Whoever was convicted according to this system or through its decisions, will have the right to object before the administrative court



Domestic Pilgrims Are:

Pilgrims coming to Hajj areas from
within the Kingdom



Hajj is not permitted for citi-zens or residents except through:



Institutions and companies li-censed to practice this service



After having obtained Hajj per-mits from the competent author-ity

Domestic guests of government agencies who were reserved housing, accommodation and transportation at the holy sites during performing Hajj rituals are exempted



Liability of Serving Domestic Pilgrims



Domestic pilgrims service is practiced according to permits obtained as per the domestic pilgrims service system whereas the executive regulation explains the permit conditions to be met by the licensee



General obligations:

on the licensee

Institutions and companies that are licensed to practice this service are obliged to the following

- Making available the necessary financial, administrative and operational capabilities to provide the service before commencing the service
- Providing the service at prices consistent with the level of services including transport, housing, accommodation and care whereas the executive regulation stipulates this issue
- Practicing of the owner of the institution his work himself. However, if deemed necessary and after the approval of the Ministry of Hajj and Umrah, the owner whose name is registered in the commercial register is allowed to deputize whoever is meeting the conditions applied on the owner of the institution provided that would not breach his contractual commitments



Practicing of the Director General of the institution whose name is registered in the commercial register and who meets the conditions applied on the owner of the institution of his work by himself. However, if deemed necessary and after the approval of the Ministry of Hajj and Umrah, the owner is allowed to deputize a partner of the company to hold the job provided that he meets the conditions that should be met by the company's director general



Only Saudi nationals are to be hired to practice administrative work and conclude contracts with pilgrims





Unified Standard (Model) Service Contract

Service providers shall conclude contracts with domestic pilgrims according to a unified form issued by the Ministry of Hajj and Umrah which includes, for instance, the following:



The form is to be used by all pilgrims



It includes the details of the service to be offered



Includes levels of service details



The service field shall be filled upon agreement of the two parties

The Responsibility of the Service Provider

The domestic pilgrims service provider is responsible before the competent authorities for:

- Providing all required services to pilgrims registered with him
- Fulfilling his commitments in accordance with the agreed contracts
- Providing what helps pilgrims to perform their rituals smoothly and easily





Duties of the Service Provider

- Serving the pilgrims honestly and sincerely and performing services in accordance with the law and executive regulation of this system
- Not to conclude contracts with extra pilgrims who flood the site's capacity in Arafat and Mina holy places
- The company's contracts concluded with pilgrims should take place through its head of-fice or a branch registered at the competent department of the Ministry



In preparation for the issuance of pilgrims permits, each service provider must submit to the Ministry of Hajj and Umrah an integrated statement that includes the pilgrim's data including name, nationality, ID, province or city in which the contract was reached as well as all data of the site, the company or institution which provides the service prior to dispatching it to the Ministry via the electronic network in preparation to issuing Hajj permits electronically between the Ministry of Hajj and Umrah and the Ministry of Interior as the whole information is made available to the authorities concerned instantly::



The contract should be reached with each pilgrim as individual according to the unified form accredited by the competent authority and according to the accredited mechanism of entering the pilgrim's data and contracting with the through the electronic network



Practically entering and receiving the sites assigned in Mina and Arafat according the timetable, and reporting to the electricity company to connect the site with power

➤➤ Securing guarding service at the entrances around the clock and not allowing the entry of non-pilgrims to enter the site in the sacred places

➤➤ Securing sufficient labor force dressed in uniform to accomplish cleanliness duties and other service requirements at a rate of one laborer per at least 30 pilgrims

➤➤ Commitment to security and safety rules according to civil defense instructions pertaining to sacred place taking into account leaving the passages leading to the emergency gates open and using plastic locks



- Returning the camps to the authority concerned following the end of the season according to the agreed timetable
- Making identity cards for all its pilgrims, showing the name of the pilgrim, permit number, site location at the sacred place as well as identity cards for the company's working force including name, position, and job assigned to each
- Remain committed to all instructions notified by the concerned administration



Prohibits

Against the Licensee

A domestic service provider is prohibited to commit the following:



**Contract with non holders of
a regular Saudi residence
permit**



**Contract with those who want
to perform Hajj from outside
the Kingdom**





Penalties

Against Licensees Violators

A licensee who violates the rules of this system receives the following punishments



Financial fine of not more than SR100,000

In addition to one or more of the following



Reducing the authorized number of dependents.



Suspension for a season or more.



License revocation.



Penalties

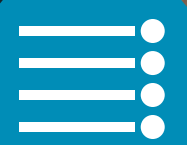
on the Unauthorized

Practicing the activity without a license entitles a

Fine of SR100,000 doubled to SR200,000 if the violation is repeated

Facing fraud-committing crime together with failure to provide prescribed service

Referral to the competent Sharia court to enforce the relevant punishment



However, if the violator is a non-Saudi



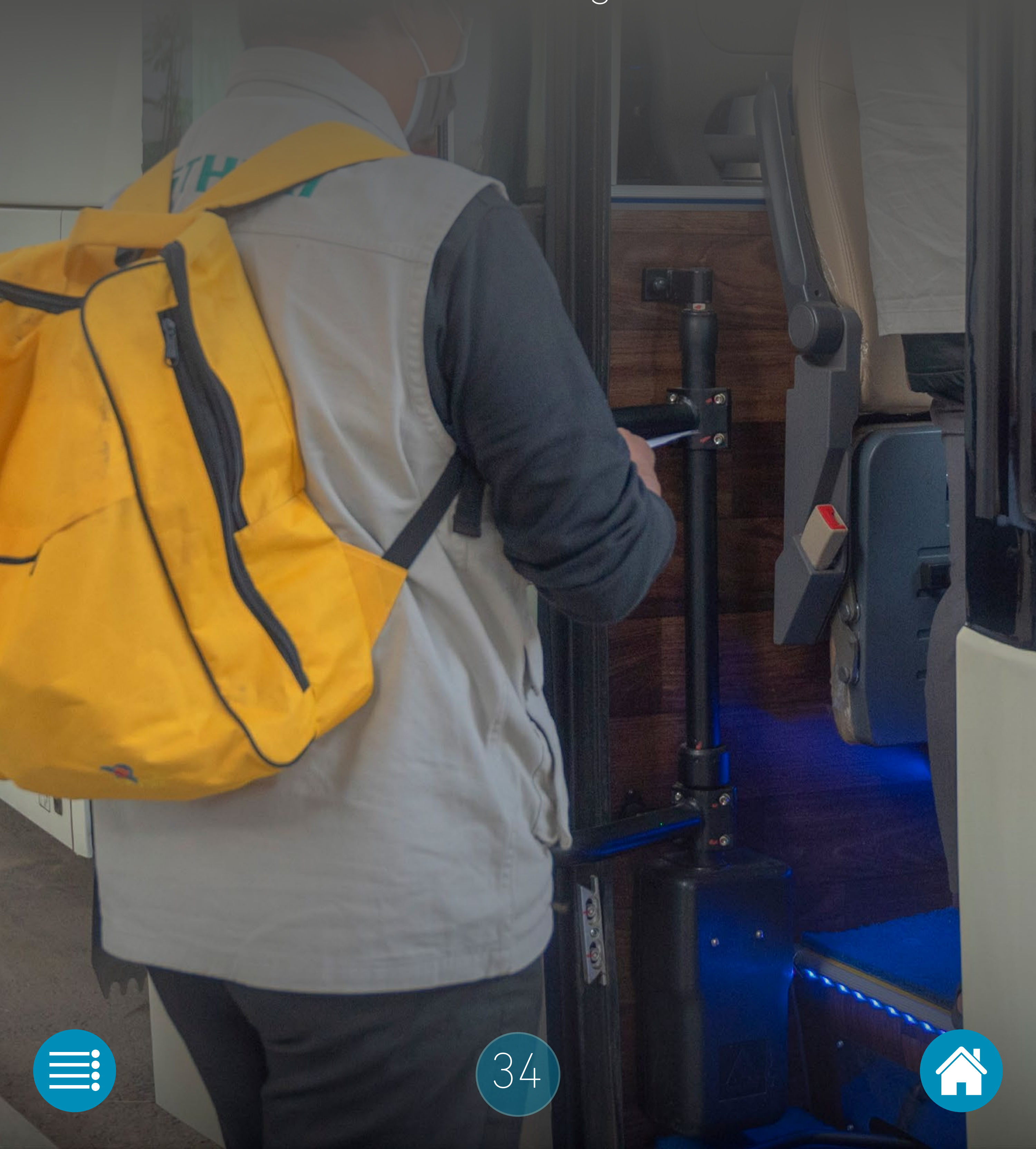
Liquidating what is his and taking what is owed



The punishment imposed on him will be implemented



Then he will be deported outside the Kingdom



An Ad Hoc Committee Formed

To consider violations of the domestic pilgrims service system

Its members are :



A member of
the Ministry of
Hajj and Umrah



A member of
the Ministry of
Interior



A member of
the Ministry
of Commerce

Their liabilities: Considering the:

- »» violations of the licensees of the domestic pilgrims service system
- »» Their failure to fulfill their obligations towards contracting pilgrims and opening and investigation into the matter
- »» Repaying the value of the services that they did not fulfill, or shouldering the consequences that might tamper the Hajj rituals to the pilgrims
- »» Deciding the appropriate penalties against violating licensees
- »» The Minister of Hajj and Umrah endorses the committee's decisions



Objections

To the decision of the review committee

Whoever is convicted by a punishment rule

- Will have the right to file a suit to be forwarded to the Board of Grievances
- Within 60 days from the date of notification

To refer it to a competent legal court

- Or if the pilgrim objects the committee's decision pertaining to levying the value of non-fulfilled services
- Including the tampering of Hajj rituals as a consequence of the service provider's default

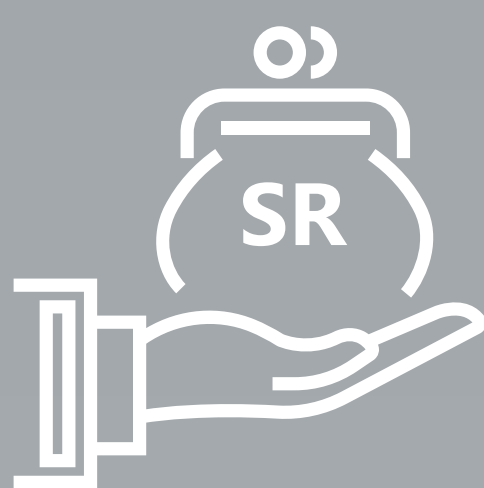
In the event that pilgrims who contracted with unlicensed companies and institutions, arrive in the holy sites and all of a sudden discover that the services agreed upon are not available, their legal suits and complaints will be transferred to a competent Sharia court which will get him repent and repay the money to their owners

Role of the Ministry of Hajj and Umrah

The Ministry of Hajj and Umrah undertakes, directly or in coordination with the relevant governorate to the violator



Retrieving and repaying the money deserved to pilgrims

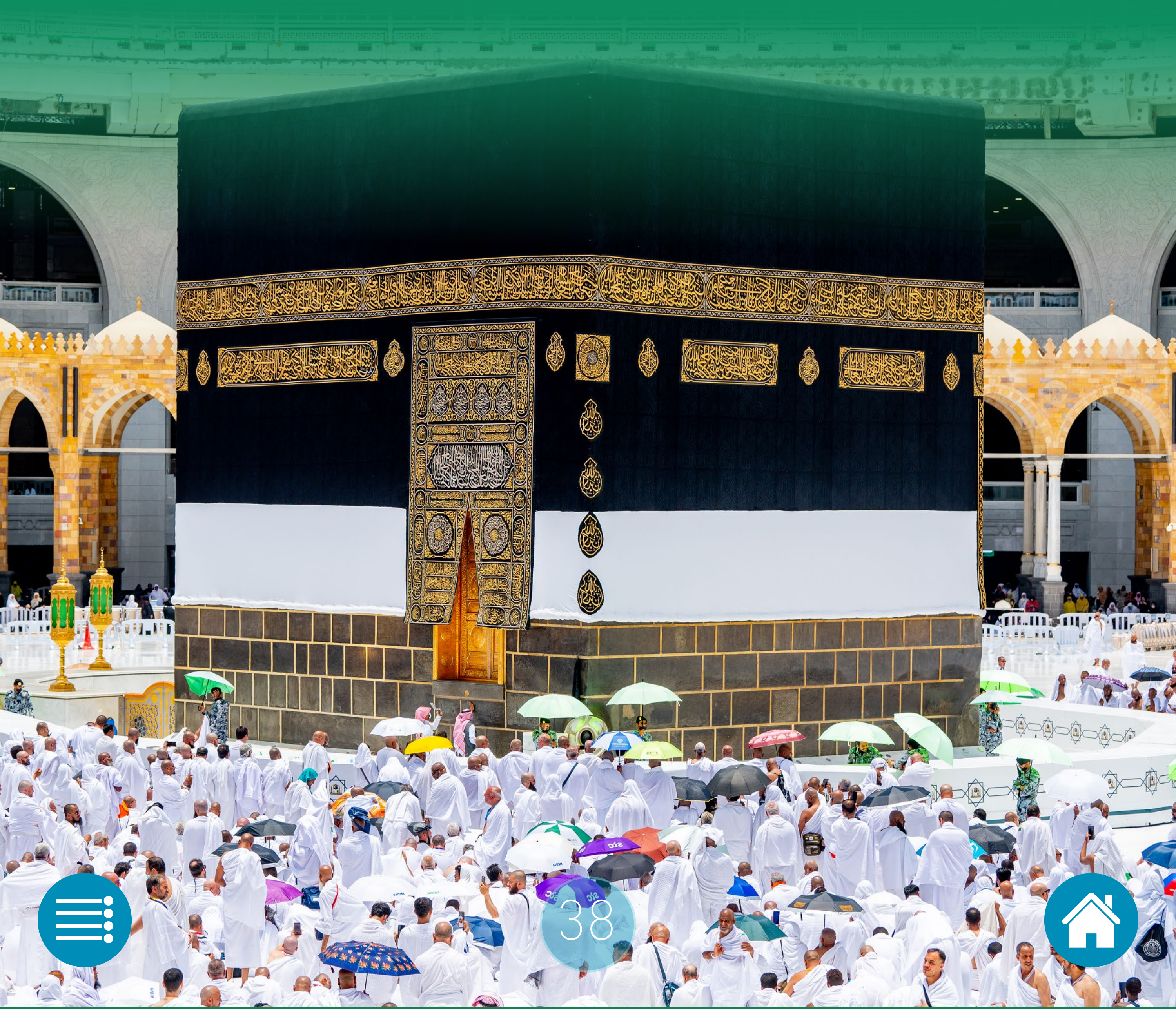


Levying the amounts of the fines decided and depositing them at the State treasury

Dealing With the Licensee's Breach of His Obligations

In the event of the licensee's breach of his obligations, the Ministry shall

- Will have the right to take all the necessary measures to ensure providing the agreed service, including
Assigning any other licensee to provide the service



➤➤ Refunding the pilgrim his service value from the violator, including

- Liquidated the bank guarantee of the violator in favour the Ministry
- Or paying the costs from any amounts available from his side to the ministry.

➤➤ Coordinating with the authority concerned as regards the service.

In the event of the licensee's breach

➤➤ of his obligations with pilgrims, the ministry creates a mechanism of assigning another licensee to offer the service





Umrah Performers and Visitors to the Prophet's Mosque From Outside the Kingdom Saudi

The services of Umrah performers and Prophet's Mosque visitors coming from abroad are provided by Saudi companies and institutions.



The Authorities Assigned to Provide Umrah Performers Services

Services for pilgrims and visitors to the Prophet's Mosque coming from outside the Kingdom are provided by

➤➤ institutions or companies only

Including

➤➤ Authorized agents serving pilgrims
Or a delegate of the authorized agent

Who have already obtained

➤➤ Pendaftaran perniagaan mengikut peraturan dan arahan
➤➤ Lesen daripada Kementerian Haji dan Umrah

Obligations of the Licensee

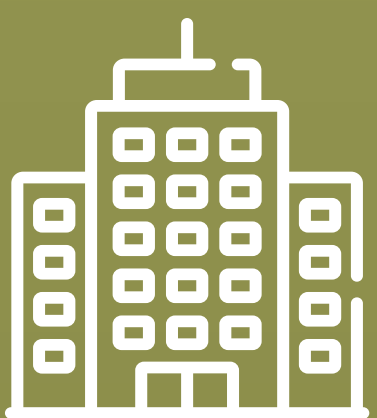
An institution or company licensed is committed to do the following



Shall have to provide service for Umrah performers honestly and sincerely



Assigning at least a director general, heads of branches and supervisors of services from the Saudi nationality who enjoy good behavior and conduct



Opening an office in each of Makkah, Al-Madinah and Jeddah

Visa Requirements

for Umrah Performers

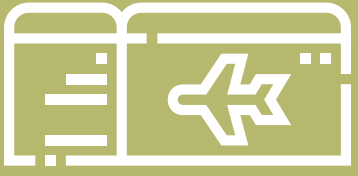
Saudi Arabia's diplomatic and consulate missions abroad issue Umrah visas according to the following



Umrah seekers will have to come through those officially licensed to organize travel trips in the country of departure



Meeting the health precautions issued by the Saudi Ministry of Health



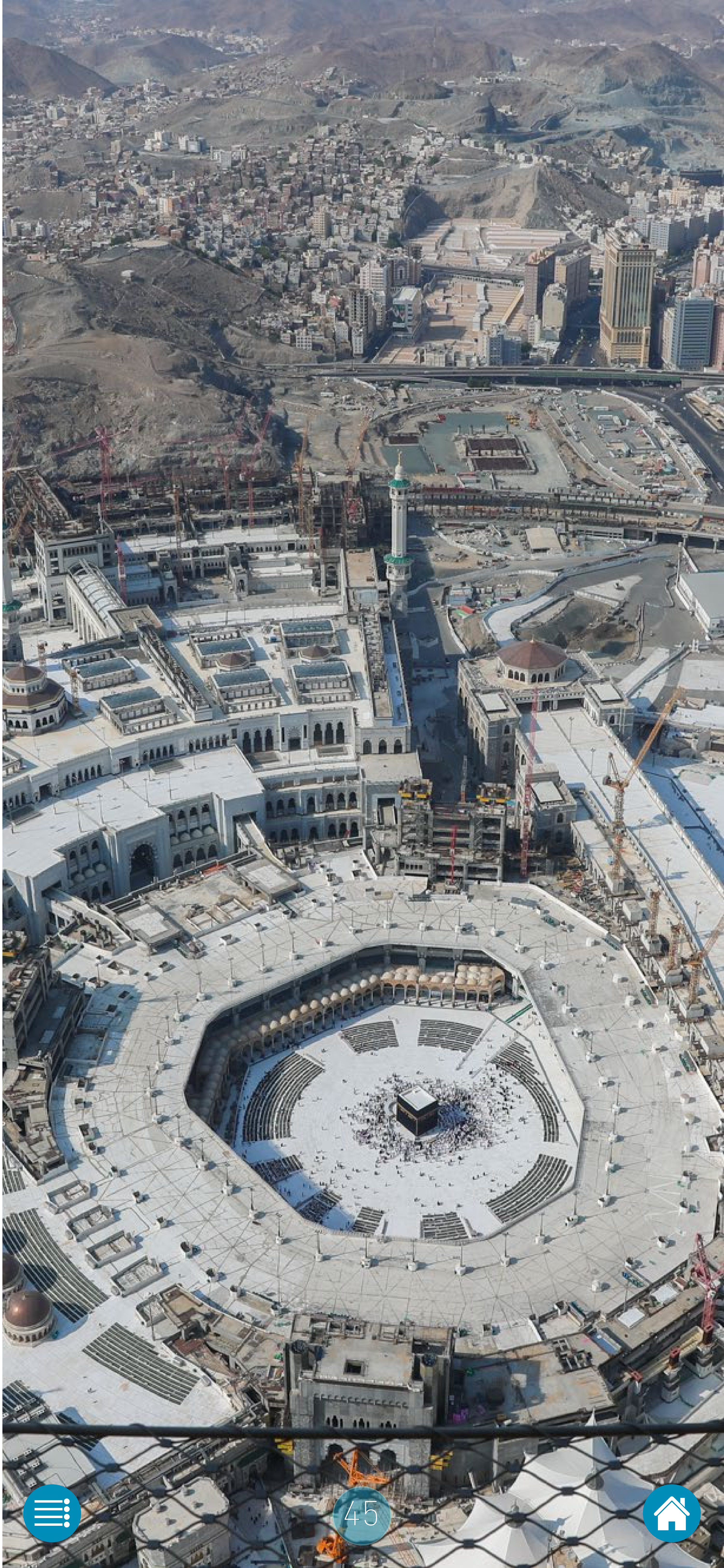
Insuring that the Umrah seeker has obtained a return ticket and a draft check issued by a bank accredited by SAMA for any Umrah seeker including all the deserves of the institution or company that will provide all the service in the Kingdom, including housing rent and transportation charges etc according to the Umrah seeker's choice of services



The institutions and companies licensed to serve Umrah Performers in the Kingdom are associated with an original copy of an ideal contract endorsed by the Ministry of Hajj and Umrah whereas the executive regulation identifies the necessary details. The final agreement between the parties is attested by the Ministry of Foreign Affairs according to its rules.



The visa leaflet identifies the name of the institution or company licensed to provide the service in the Kingdom for the Umrah seeker



The Exempted From Umrah Visa Requirements

Political figures.

Whom the Saudi diplomatic missions abroad choose to exempt including:

- Islamic prominent figures
- Characters with a special social status

Or those determined by the executive regulations organizing the services being provided for Umrah performers and visitors of the Prophet's mosque who are coming from abroad

Arrival of Umrah Performers

From Countries Out of the Reach of the Licensees Contracting Access

The Ministry of Hajj and Umrah, in agreement with the Ministry of Foreign Affairs and Interior, sets up a mechanism to organize the arrival of Umrah performers from countries

- Which licensees do not deal with
- Or where it is not possible to have an external party to conclude a contract with one of the licensees in the Kingdom

Exempted Categories

From Being Associated With Licensees for Providing Umrah Services

Following categories who would like to perform Umra or visit the Prophet's mosque are exempted from being associated with licensees :

1. Guests of the State
2. Student, media, cultural or sports official delegations and the like
3. Those coming to the Kingdom on a visit visa

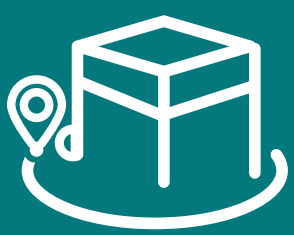
However, the above exempted personalities are allowed to seek help of a licensee's service if he/she opted to do so





Transit Visa

The transit visa allows its visitor holders passing via the Kingdom of Saudi Arabia to enter the country for several purposes



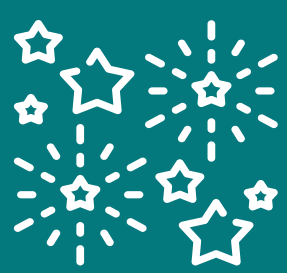
Performing Umrah rituals



Visiting the Grand mosque



Visiting the Prophet's mosque



Attending events and other touristy activities



The holder of a transit visa is eligible to:

- Reserving a flight to the final destination via the Kingdom of Saudi Arabia
- Applying for entering the Kingdom the moment he/she is ticketing
- Reserving on a Saudi airliner



Validity of the visa:

- 90 days starting the issuance day
- A maximum 96 hours after entry
- single visa



Contracting Requirements

With the Domestic Service Provider

A contract must be made with one of the licensees in the Kingdom to provide services according to the general agreement in which the following is specified:

- Residences in Makkah and Madinah including room numbers
- Route of arrival (air, sea, land)
- Name of the carrier and dates of arrival and departure
- Domestic transport provider
- company's name
- Driver data

Details of Umrah Performers Records

Umrah institutions and companies inside the Kingdom shall archive detailed information of the pilgrims coming through them, including



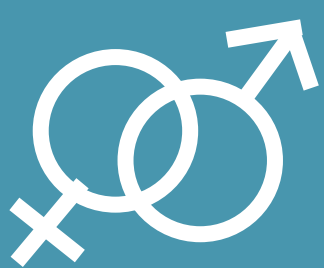
Names



Nationalities



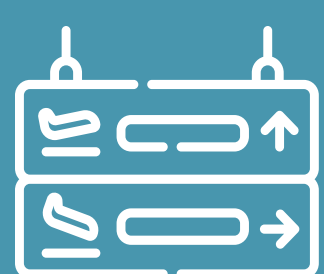
Ages



Races



Tickets numbers



Dates of arrival and departures



Passport numbers





Inlet post



The means of arrival



The carrier's name and agent



Data of the touristy shelter facility in Makkah, Madinah and Jeddah together with room numbers



Means of transportation inside the Kingdom



Data of the contracting company or institution and service level

Providing the Ministry of Hajj and Umrah with records electronically as well as the both ministries of Hajj and Umrah and Interior with any data , if deemed necessary



Licensee's Commitments to Implement a Package of Services

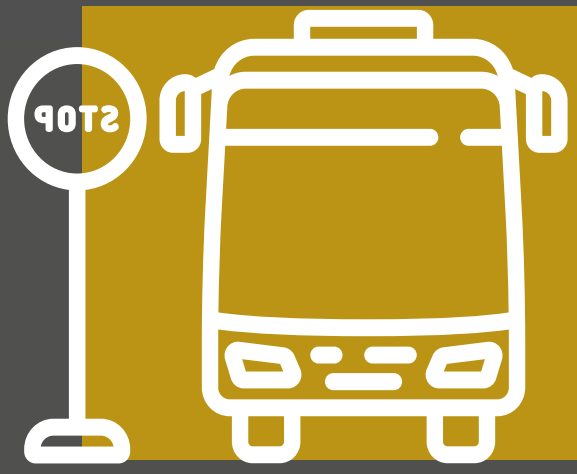
Umrah companies inside the Kingdom are obliged to reserve the following living essentials for an Umrah performer according to his/her choice and level of service agreed upon





Reception

- At air, sea and land cross points
- Welcoming them



Transport

- Provision of licensed means of transportation
- A sufficient number of drivers
- Alternative transportation
- Transporting the pilgrim and picking his luggage



Housing

- In one of the licensed tourist accommodation facilities
- According to the agreed level of service

Farewell

- Check-out on time
- Moving to point of departure well in advance of departure time
- Making the way out before visa expiry
- And according to approved group-guiding controls

Awareness

- About Umrah performers services controls
- About not mis-using the Umrah visa
- About the allowed weights and sizes of baggage



Medical Treatment

The licensee is committed to assist the Umrah performer in the following cases:

- Reporting to any hospital or a health center.
- Fetching a doctor to the Umrah performer's residence at his expense if the patient was unable to help himself

Follow-ups

- Following-up of patients in hospitals
- Following-up of those arrested by security forces
- Following up and assisting those who lost their passports, if any

Including taking the necessary measures for deportation after completion of treatment, suspension or imprisonment

Death notification

Upon the death of an Umrah performer – God forbid – the domestic licensee is obligated to

- Notify the concerned authorities of the following:
- Complete information statement of the deceased.
- Statement of the cause of death
- A statement the deceased properties left behind
- Obtaining a death certificate
- Making burial arrangements in the Kingdom
- Or arranging for the deportation of the body

Return Ticket

The domestic licensee must confirm the reservations for the return of Umrah performers, together with:



Paying any fees if deemed



Securing a new ticket if the ticket held has expired



Liability of the Licensee

In front of the Umrah performer as well as the Ministry of Hajj and Umrah

The licensee is considered directly held accountable before the Umrah performer and the Ministry for:



Breaching the obligations entrusted to him according to the contract with the Umrah performer



Violation of the packages of services under which the visa was granted

Addressing the Domestic Service Provider's Breach

**Of his obligations in front of the
Umrah performer as well as
the ministry**

In the event that the domestic licensee violates any of his obligations, the Ministry shall have to



directly secure the
services to the Um-
rah performer



Hold the licensee re-
sponsible of the costs

Return Ticket of Over Staying Umrah Performers

Once an Umrah performer was apprehended by the security authorities as an overstayer or upon his/her deportation,



The value of his/her ticket is paid by the agent or company through which he/she entered the country



Or to be deducted from the company's bank deposit



Penalties for the Licensee

Whoever violates the system of Umrah performers and Prophet mosque visitors coming from outside the Kingdom

The institution or the company punishes, without violating any more tougher punishment, the licensee who violates this system with any of the executive regulation rules stipulated in the system with a punishment or more of the following punishments



A financial fine of no more than SR50,000



Cessation from practicing the work for no more than six months starting the validity of Umrah visas



Cancellation of the license granted to the company or institution



Without violating the right of claiming the civil right, the licensee operating from abroad is deprived from dealing with the institutions and companies operating from inside the Kingdom if it violated its contracting commitments.



Whoever dares to serve Umrah seekers without obtaining the re-quired permit is punished with a financial fine of no more than SR100,000



Umrah Complaints Committee

Membership:



Member of the
Ministry of Hajj
and Umrah



Member of the
Ministry of In-
te-rior.



Member of
the Ministry
of Commerce

The committee will be assigned to:

- Receiving and investigating complaints from Umrah per-formers
- Violations of the licensee
- Minutes filed by authorities concerned.

In addition to:

- Launching an investigation into it and advise enforcing one of the punishments
- Defining the value of services not offered by the licensee for the Umrah performer whereas the ministry undertaking levying the amount and sending it to the beneficiary



Committee Mechanism to Consider Complaint

- The parties are to be notified of the date of the hearing session seven days in advance
- The notification shall include a statement of the contents of the complaint or violation
- The plaintiff or his representative shall personally appear to give his statement and submit documents
- The committee shall look into the complaint or violation promptly
- The committee shall decide on the complaint within 30 days of filing the suit
- The complaint continues to be considered even after the end of his/her Umrah stay and/or his/her departure
- The plaintiff may attend the sessions personally or deputize others



Grievance

Against Complaint-Receiving Committee

The person against whom the committee has issued a penalty will have the right to file a grievance against the committee before the Board of Grievances within sixty days from the date he was notified of that

**Helpful contact numbers
you may need
Hereunder are**



Important Contact Numbers

911

For emergency and security services

937

Medical consultations and inquiries

920002814

Ministry of Hajj and Umrah call center to answer inquiries from pilgrims

1966

For inquiries about the Grand Mosque and the Prophet's Mosque



You can obtain the rest of the guides by visiting the website of the Ministry of Hajj and Umrah (by clicking here).

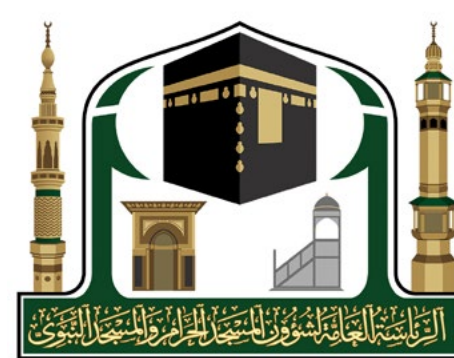
In these guides, you will find all the instructions and directions which will help you perform the Hajj rituals with ease and confidence.



Strategic partner



Partners in success



May Allah Accept Your Good Deeds

For more information,
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Haj.gov.sa | [@HajMinistry](https://twitter.com/HajMinistry)

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