Saudi Civil Transactions Law Practical Application Training Course

Ref: #LEG6832

Course Introduction / Overview:

The enactment of the Saudi Civil Transactions Law by Royal Decree M/191 marks a monumental shift in the Kingdom's legal landscape, creating a unified and modern legislative framework for all civil and commercial dealings. This comprehensive codification aligns with the ambitious goals of Saudi Vision 2030 by enhancing the business environment, attracting foreign investment, and promoting economic stability through legal certainty. This course, offered by BIG BEN Training Center, provides an in-depth exploration of this transformative legislation from A to Z. We will delve into the core principles governing contracts, tortious liability, property rights, and unjust enrichment. The curriculum is designed to bridge the gap between theoretical knowledge and practical application, drawing on concepts discussed by leading academics like Dr. N.A. Saleh in works exploring Islamic commercial jurisprudence, such as "Unlawful Gain and Legitimate Profit in Islamic Law". Participants will gain a robust understanding of how these codified rules impact daily operations, contract negotiation, and dispute resolution, empowering them to navigate the new legal environment with confidence and strategic foresight. This training is essential for any professional whose work is touched by contractual obligations and civil liabilities within Saudi Arabia.

Target Audience / This training course is suitable for:

- Lawyers and Legal Consultants.
- In-House Counsel and Corporate Legal Advisors.
- Contract Managers and Administrators.
- Procurement and Supply Chain Professionals.
- Business Owners and Entrepreneurs.
- Compliance Officers and Risk Managers.
- Judges, Paralegals, and Judicial Assistants.
- Project Managers and Commercial Directors.
- Finance and Accounting Professionals.
- Government Officials and Legislators.

Target Sectors and Industries:

- Construction and Engineering.
- Real Estate and Property Development.
- Banking, Finance, and Insurance.
- Oil, Gas, and Petrochemicals.
- Technology and Telecommunications.
- Retail and Consumer Goods.
- Healthcare and Pharmaceuticals.
- Logistics and Transportation.
- Governmental and quasi-governmental bodies.
- Professional Services and Consulting.

Target Organizations Departments:

- Legal Affairs Department.
- Contracts and Procurement Department.
- Compliance and Governance Department.
- Finance and Treasury Department.
- Project Management Office.
- Risk Management Department.
- Sales and Commercial Department.
- Human Resources Department.
- Strategic Planning Department.
- Operations Management.

Course Offerings:

By the end of this course, the participants will have able to:

- Interpret the fundamental principles and scope of the Saudi Civil Transactions Law.
- Analyze the formation, validity, and effects of contracts under the new legislation.
- Draft and review commercial agreements to ensure full compliance with the law.
- Assess liability for harmful acts (torts) and calculate appropriate compensation.
- Apply the rules of unjust enrichment to relevant commercial scenarios.
- Understand the new framework for property rights and their transfer.
- Develop effective strategies for managing contractual disputes and termination.
- Evaluate the impact of the law on existing and future business transactions.
- Advise stakeholders on legal risks and opportunities arising from the new code.
- Navigate the relationship between the Civil Transactions Law and principles of Sharia.

Course Methodology:

The training methodology at BIG BEN Training Center is designed to be immersive, practical, and highly interactive, ensuring that participants can immediately apply their learning. We move beyond traditional lectures to foster a dynamic learning environment where complex legal concepts are made accessible and relevant. The course heavily relies on the case study method, using real-world and hypothetical scenarios drawn from the Saudi commercial context to analyze the practical implications of the Civil Transactions Law. Participants will engage in collaborative group workshops to draft contract clauses, assess liability in simulated disputes, and debate nuanced points of law. Interactive Q&A sessions with our expert instructors provide a platform for clarifying complex issues and sharing experiences. Role-playing exercises will simulate contract negotiations and dispute resolution meetings, honing participants' practical skills. Continuous feedback is provided throughout the sessions to guide learning and ensure a comprehensive understanding. This hands-on, participant-centered approach guarantees a deep and lasting mastery of the material, equipping professionals with the confidence to navigate the new legal landscape effectively.

Course Agenda (Course Units):

Unit One: Foundations of the Saudi Civil Transactions Law

- Introduction to the historical context and legislative purpose of the law.
- Understanding the scope of application and its relationship with other laws.
- The hierarchy of legal sources, including Sharia, legislation, and custom.
- General principles of law, such as good faith and the prohibition of abuse of rights.
- Key definitions and legal terminology used throughout the code.
- The concept of legal personality and capacity to contract.
- An overview of the law's structure and main sections.

Unit Two: The General Theory of Obligations and Contracts

- Sources of obligation, including contracts, unilateral acts, and law.
- The essential elements for the formation of a valid contract.
- Rules governing offer, acceptance, and contractual consent.
- Defects of consent, including mistake, fraud, and duress.
- The interpretation of contracts and determining the parties' intent.
- The effects of a contract between the parties and towards third parties.
- Methods of contract termination, including rescission, termination, and dissolution.

Unit Three: Nominate Contracts and Specific Commercial Agreements

- In-depth analysis of the contract of sale and its obligations.
- Rules governing lease agreements for property and assets.
- Understanding Muqawala (construction and work) contracts.
- Provisions related to agency (wakala) and its legal implications.
- An examination of loan, deposit, and guarantee contracts.
- Partnership (sharika) agreements under the new civil code.
- Modern contractual forms and their treatment under the law.

Unit Four: Harmful Acts (Torts) and Unjust Enrichment

- The general principle of liability for one's own harmful acts.
- Conditions for establishing tortious liability, including fault, harm, and causation.
- Liability for the acts of others (vicarious liability).
- Liability for harm caused by animals or collapsing buildings.
- Assessment and quantification of damages and compensation.
- The principle of unjust enrichment and its applications.
- Specific cases of unjust enrichment, such as payment not due.

Unit Five: Property Rights and Dispute Resolution

- The definition and types of real rights (rights in rem).
- The right of ownership, its scope, and its limitations.
- Understanding usufruct, use, and lodging rights.
- Easements (servitudes) and their creation and termination.
- Provisions related to pre-emption (shuf'a) in property sales.
- The impact of the law on dispute resolution clauses in contracts.
- Navigating litigation and arbitration under the new legal framework.

FAQ:

Qualifications required for registering to this course?

There are no requirements.

How long is each daily session, and what is the total number of training hours for the course?

This training course spans five days, with daily sessions ranging between 4 to 5 hours, including breaks and interactive activities, bringing the total duration to 20 - 25 training hours.

Something to think about:

How does the codification of principles previously derive from Sharia into the Civil Transactions Law impact judicial discretion and legal predictability in the Kingdom?

What unique qualities does this course offer compared to other courses?

This training course distinguishes itself by focusing intensely on the practical application and strategic implications of the Saudi Civil Transactions Law, rather than merely reciting its articles. While other courses may offer a theoretical overview, our program is meticulously designed to bridge the gap between the legislative text and its real-world impact on business operations in the Kingdom. We utilize a curriculum rich with localized case studies and business scenarios that reflect the unique commercial and cultural context of Saudi Arabia, ensuring the content is immediately relevant and applicable. Our instructors are not just academics; they are seasoned legal practitioners with extensive, on-the-ground experience in the Saudi market who provide invaluable insights that cannot be found in textbooks. The course structure is forward-looking, consistently linking the law's provisions to the broader economic objectives of Saudi Vision 2030. This provides participants with a strategic understanding of not just what the law says, but why it was enacted and how it will shape the future of commerce, investment, and dispute resolution in the region, offering a level of depth and foresight that is truly unparalleled.