



الهيئة الوطنية
للأمن السيبراني
National Cybersecurity Authority

Legal Powers of the National Cybersecurity Authority

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In the name of Allah,
the most gracious,
the most merciful

First

The following acts shall be deemed violations:

1. Engaging in cybersecurity related activities or operations that require licensing by the National Cybersecurity Authority without obtaining such license or in violation of the license's terms.
2. Failing to comply with cybersecurity related policies, governance mechanisms, frameworks, standards, controls, and guidelines set by the National Cybersecurity Authority.
3. Providing to the public or to public or private entities misleading information related to cybersecurity activities, operations, or services.
4. Refrain to provide the National Cybersecurity Authority with the information, data, reports, or documents necessary for performing its functions and duties, or providing such materials in a misleading manner.
5. Possessing, selling, importing, exporting, leasing, providing access to, manufacturing, producing, circulating, or using—by any means—any device, equipment, tool, service, system, software, or similar items related to cybersecurity in a manner inconsistent with the standards and requirements set by the National Cybersecurity Authority, or without obtaining the necessary license or conducting the required screening.
6. Obstructing or preventing inspectors, in any manner, from carrying out their duties or refusing to cooperate with such inspectors or provide facilities thereto.
7. Committing any other act that violates regulations and decisions related to cybersecurity activities issued by the National Cybersecurity Authority pursuant to its Statute.

Second

1. Inspectors, designated by a decision of the Governor of the National Cybersecurity Authority, shall individually or collectively detect, record, and investigate the violations provided for in Clause (First) herein. To this end, such inspectors shall have the power to monitor and inspect locations and activities related to cybersecurity, including networks, information technology systems, operational technology systems, and their components such as devices, hardware, and software, as well as the data and documents they contain, and to seize the same and obtain copies thereof; and the power to gather the necessary evidence and information.

2. Detected and recorded violations shall be referred to the committee provided for in Clause (Fourth) herein. The National Cybersecurity Authority shall be responsible for prosecuting violators before such committee.
3. If an inspector, while performing his duties, suspects a cybersecurity related crime, he shall detect and record the same and refer the matter to the competent agencies.
4. The National Cybersecurity Authority shall have the right to summon any person it deems necessary for questioning or for hearing statements or testimonies regarding any of the violations provided for in Clause (First) herein, and shall document such procedures and take any necessary actions.
5. The National Cybersecurity Authority shall retain items seized in connection with the detected violation until a final decision is rendered thereon. If a final decision is issued establishing the violation, the Authority may, upon the approval of the committee provided for in Clause (Fourth) herein, destroy the seized items, without prejudice to the violator's right to seek compensation for any damage.
6. The National Cybersecurity Authority may seek the assistance of any person it deems fit to carry out the tasks of monitoring, inspection, and violation detection and recording.

Third

1. If a person commits any of the violations provided for in Clause (First) herein, the National Cybersecurity Authority shall, in exigent and necessary circumstances and for the purpose of safeguarding cybersecurity - pursuant to a decision by the Governor of the National Cybersecurity Authority or his designee -, suspend or terminate any violating cybersecurity related activity, network, information technology system, operational technology system, or any of their components, including devices, hardware, and software.
2. The decision issued shall become effective as of the date the violator is notified thereof. The National Cybersecurity Authority must refer the violation to the committee provided for in Clause (Fourth) herein within (3) working days from the decision's issuance date. Such committee shall render its decision within (10) working days from the referral date. If the committee fails to reach a decision within such period or the violator objects to its decision, the violator may file an appeal with the Administrative Court in accordance with applicable legal procedures.

Forth

1. The Board of Directors of the National Cybersecurity Authority shall issue a decision to form a committee, or more, comprising at least three members, one of whom shall be a legal specialist. Such committee shall review the violations provided for in Clause (First) and impose the penalties stipulated in Clause (Fifth) herein.
2. The Board of Directors of the National Cybersecurity Authority shall issue a decision of the committee's work rules and procedures, including specifically the remuneration of its members.

Fifth

1. Without prejudice to any harsher penalty provided for in any other law, any person - other than public entities, or any of their employees or workers performing their assigned duties - who commits or participates in committing, in any way, any of the violations provided for in Clause (First) herein shall be subject to one or more of the following penalties:
 - a) Warning.
 - b) Temporary suspension of the license.
 - c) Revocation of the license.
 - d) Suspension of the service or activity.
 - e) A fine not exceeding twenty-five million riyals (25,000,000 ر.س).
2. The committee provided for in Clause (Fourth) herein may include in its penalty decision a provision requiring the publication of the text of the ruling at the expense of the violator in a local newspaper issued in his area of residence; if no newspaper is issued in his area of residence, it shall be published in a newspaper issued in the nearest area or through any other appropriate medium depending on the type, impact, and gravity of the violation, provided that such publication is made after the decision becomes unappealable upon the lapse of the statutory period for appeal, or after the issuance of a final judgment thereon.
3. The penalty decision shall include a provision compelling the violator to rectify the violation and deposit any unlawfully obtained funds into the State treasury.

4. Penalties shall be determined according to the gravity of the violation, taking into account the nature and frequency of the violation and the seriousness of each repeat violation as well as any aggravating and mitigating circumstances. The Board of Directors of the National Cybersecurity Authority shall issue a table comprising a classification of violations and their corresponding penalties as specified in paragraph (1) of this Clause, including the amount and duration thereof, taking into account the gradual application of the penalty.
5. Penalty decisions issued by the committee provided for in Clause (Fourth) herein may be appealed before the Administrative Court within (60) days from the date of notification.
6. Necessary disciplinary procedures shall be taken in accordance with relevant legal provisions against any public employee who commits any of the violations provided for in Clause (First) herein.

Sixth

The Board of Directors of the National Cybersecurity Authority shall issue the following:

1. Rules for reporting the violations provided for in Clause (First) herein, including determining the financial rewards for persons reporting such violations, the controls for granting and disbursing such rewards, and the measures for protecting such persons and ensuring the confidentiality of their identities.
2. Rules for regulating the detection, recording, and investigation of violations provided for in Clause (First) herein at security and military agencies.

Seventh

These Powers shall enter into force from the date of their publication in the Official Gazette and shall repeal any provisions conflicting therewith.

