

Royal Decree No. 99/90

Issuing the Judicial Authority Law

We, Qaboos bin Said, Sultan of Oman,

After reviewing the Basic Statute of the State issued by Royal Decree No. 101/96,
and based on the requirements of the public interest,
We hereby decree the following:

Article One

The provisions of the attached Judicial Authority Law shall come into force six months after the date of its publication. Any text that contradicts its provisions shall be repealed.

The Minister of Justice may, if necessary, renew the period mentioned in the previous paragraph for one or more terms not exceeding one year.

Article Two

All cases pending before the Sharia Courts, the Commercial Court, and the Criminal Courts shall be referred to the competent courts in their current state and without fees. The concerned parties shall be notified of the referral.

The Rent Committees and the Land Affairs Committees shall continue to consider the lawsuits and petitions filed before them prior to the date of enforcement of the attached law.

Article Three

Until the promulgation of a specific text in the attached law, the Civil and Commercial Procedures Law and the Criminal Procedures Law shall apply. The system of hearing cases and arbitration petitions before the Commercial Court, issued by Royal Decree No. 32/84, shall apply to all cases falling under the jurisdiction of the courts mentioned in the attached law, except for public criminal cases governed by Royal Decree No. 25/84 on the regulation of criminal adjudication.

Article Four

The establishment of the Administrative Court and the issuance of its law, as well as the establishment of the Public Prosecution and the issuance of its law, shall be by Royal Decree.

Article Five

The judiciary shall have a Supreme Judicial Council, the composition and jurisdiction of which shall be issued by Royal Decree.

Article Six

(This article was repealed by Royal Decree No. 10/2012).

Article Seven

This Decree shall be published in the Official Gazette. Articles (2) and (3) shall come into force from the date of enforcement of the attached law. The ministers and concerned authorities shall implement it.

Issued on: 13 Sha'ban 1420 AH

Corresponding to: 21 November 1999 AD

Judicial Authority Law

Part One – Courts

Chapter One: Structure and Organization of Courts

Section One: Hierarchy of Courts

Article (1)

Courts shall be organized as follows:

- a) The Supreme Court.
- b) Courts of Appeal.
- c) Primary Courts.
- d) (Repealed by Royal Decree No. 14/2001).

Each court shall have jurisdiction over matters brought before it in accordance with the law.

Within any of these courts, the division handling personal status cases shall be called the “Sharia Court Division.”

Section Two: The Supreme Court

Article (2)

The Supreme Court shall consist of a President and a sufficient number of Vice Presidents and judges. Chambers shall be formed as needed to hear appeals and cases brought before it. Each chamber shall be presided over by the President of the Court, one of his deputies, or the most senior judge.

The seat of the Supreme Court shall be in Muscat. However, any of its chambers may hold sessions in other locations by decision of the Minister of Justice, upon request of the Court’s President.

Judgments shall be issued by five judges.

Article (3)

A Technical Office shall be established within the Supreme Court, composed of a President and a number of judges from the Courts of Appeal and the Primary Courts, appointed by decision of the President of the Supreme Court. A sufficient number of staff shall be assigned to the office.

Article (4)

The Technical Office shall undertake the following:

- a) Extract legal principles established by the judgments of the Supreme Court, provided that they are approved by the head of the chamber that issued the ruling.
- b) Publish collections of judgments, organized and classified, with the extracted principles indicated in accordance with the previous paragraph.
- c) Prepare legal research and studies requested by the President of the Supreme Court.

- d) Issue a periodical containing selected judicial rulings and chosen research.
- e) Carry out other tasks assigned by the President of the Supreme Court.

Section Three: Courts of Appeal

Article (5)

A Court of Appeal shall be established in each of the following locations: Muscat, Musandam, Al Buraimi, Sohar, Nizwa, Salalah, Ibra, Ibri, Rustaq, Sur, Musayib, Seeb, and Duqm.

Each court shall consist of a President and a sufficient number of judges. Chambers shall be formed as needed, and each chamber shall be presided over by the President of the Court or the most senior judge.

The seat and jurisdiction of each Court of Appeal shall be determined by decision of the Minister of Justice. Each court may hold sessions in any other place within its jurisdiction by decision of the Minister of Justice, upon request of the President of the Court.

Judgments shall be issued by three judges.

By Royal Decree, and upon recommendation of the Supreme Judicial Council, one or more additional Courts of Appeal may be established. The Decree shall determine their seat and jurisdiction.

Section Four: Primary Courts

Article (6)

A Primary Court shall be established in each wilaya (province) listed in the attached schedule. Each shall consist of a President and a sufficient number of judges. Chambers of a single judge shall be formed as needed.

In each wilaya that also contains a Court of Appeal, the Primary Court shall form one or more chambers of three judges to adjudicate specialized or high-value cases specified by law.

In the Central Region and in Musandam Governorate, one or more chambers of three judges shall also be formed, as needed, to adjudicate such cases.

Article (7)

The seat and jurisdiction of each Primary Court—whether composed of a single judge or three judges—shall be determined by decision of the Minister of Justice. Each court may hold sessions in any other place within its jurisdiction by decision of the Minister of Justice, upon request of the President of the Court.

By Royal Decree, and upon recommendation of the Supreme Judicial Council, one or more additional Primary Courts may be established. The Decree shall determine their seat and jurisdiction.

By Royal Decree, and upon recommendation of the Supreme Judicial Council, the number of Primary Courts forming chambers of three judges may be increased, provided that no more than two such courts are established in each region or governorate. The Decree shall specify their jurisdiction.

Chapter Two: Jurisdiction of the Courts

Article (8)

Except for administrative disputes, the courts mentioned in this law shall have jurisdiction to adjudicate civil and commercial cases, arbitration requests, personal status cases, criminal cases, labor, tax, rental, and other cases brought before them in accordance with the law, unless otherwise provided by a specific text.

Procedural provisions shall determine the rules of jurisdiction for the courts.

Article (9)

If, while hearing an appeal, a chamber of the Supreme Court finds that it has previously issued judgments that contradict one another, or it deems it necessary to depart from a legal principle established by previous rulings of the Supreme Court, it must refer the appeal to a panel composed of the President of the Court, or the most senior of his deputies, and ten of the most senior judges.

The Secretariat of the Court shall submit the appeal file to the President of the Court within three days from the date of the referral decision so that he may set a hearing date. The parties to the case shall be notified of the hearing date at least fourteen days in advance.

The panel shall issue its judgments by a majority of at least seven members.

Article (10)

A special panel may be formed in the Supreme Court when necessary, consisting of the President of the Supreme Court, the five most senior of his deputies or judges, the President and Deputy of the Administrative Court, and the three most senior counselors of the Court.

This panel shall have jurisdiction to resolve conflicts of jurisdiction, whether positive or negative, between the courts established under this law and the Administrative Court, as well as other courts. It shall also determine which judgment is enforceable in cases of conflicting judgments.

In the absence or incapacity of any member, the next in seniority shall replace him. The panel shall be presided over by the President of the Supreme Court, or, in his absence or incapacity, by the most senior of its members.

Its decisions shall be issued by a majority of at least seven members.

Article (11)

The panel referred to in Article (10) shall also be the judicial authority competent to adjudicate disputes concerning the conformity of laws and regulations with the Basic Statute of the State, and their consistency with its provisions.

A Royal Decree shall specify its powers and the procedures it shall follow.

Part Two: The Administrative Affairs Council

Chapter Three: General Assemblies and Temporary Committees

Article (12)

The Supreme Court and each Court of Appeal shall convene in a General Assembly. Likewise, the Primary Courts within the jurisdiction of each Court of Appeal shall convene in a General Assembly, presided over by the President of the relevant Court of Appeal, to consider matters relating to each of these courts, including:

- a) Determining the number of chambers and their composition.
- b) Allocating cases to the chambers.
- c) Determining the number of sessions and the dates and hours of their convening.
- d) Assigning judges of the Courts of Appeal to serve in criminal courts.
- e) Other matters relating to the organization and internal administration of the court.
- f) Other matters specified by law.

The General Assembly may delegate some of its powers to its President.

Article (13)

The General Assembly of each court referred to in Article (12) shall consist of all its judges. The Public Prosecution shall be represented by its delegate in matters concerning the functions of the Public Prosecution.

The Assembly shall be convened at the invitation of the Court's President or at the request of no fewer than half of its members. Its meeting shall not be valid unless attended by at least two-thirds of its members. If this is not achieved, the meeting shall be reconvened within 15 days, and then it shall be valid if attended by at least half of its members.

The Assembly shall be presided over by the President of the Court or, in his absence, the most senior of the present members. Decisions of the General Assembly shall be made by absolute majority of those present. In the event of a tie, the President's side shall prevail.

Minutes of the General Assemblies shall be recorded in a special register, signed by the President and the Secretary.

Article (14)

In each court referred to in Article (12), a **Temporary Affairs Committee** shall be formed, composed of the President of the Court (or his deputy) and the two most senior members (or their deputies).

The Committee shall exercise the powers of the General Assembly in urgent matters when it cannot be convened during the judicial recess.

Article (15)

Decisions of the General Assemblies and Temporary Committees shall be submitted to the Minister of Justice. If he does not approve any decision of the General Assemblies of the Primary Courts or their Temporary Committees, he may return it for reconsideration. If the Assembly reaffirms its decision, the Minister may refer the matter to the Administrative Affairs Council, whose decision shall be final.

Chapter Four: The Administrative Affairs Council

Article (16)

The judiciary shall have a **Council of Administrative Affairs**, chaired by the President of the Supreme Court, and composed of:

- The three most senior Vice Presidents of the Supreme Court.
- The Public Prosecutor.
- The most senior President of a Court of Appeal.
- The most senior President of a Primary Court.

If the President of the Council's position becomes vacant, or if he is absent or unable to perform his duties, the most senior member shall act in his place. In the absence or incapacity of a member, he shall be replaced by the next most senior in the body he represents.

Article (17)

The Administrative Affairs Council shall be responsible for all matters related to the appointment, promotion, transfer, secondment, and deputation of judges, as well as other judicial personnel affairs, in accordance with the law.

The Council may propose draft laws related to the judiciary, and its opinion must be sought regarding such drafts.

Article (18)

The Council shall convene at the seat of the Supreme Court at the invitation of its President or upon request of the Minister of Justice. The invitation must be accompanied by an agenda.

The meeting shall not be valid unless attended by all members. Deliberations shall be confidential, and decisions shall be issued by majority vote.

The Council may request from the Minister of Justice any information or documents it deems necessary regarding matters under its consideration.

Article (19)

The Administrative Affairs Council shall issue its internal regulations, setting out the rules and procedures for exercising its functions. These regulations shall be issued by decision of the Minister of Justice.

Part Three

Concerning Judges

Chapter One

Concerning Appointment, Promotion, and Seniority Section One: Concerning Appointment

Article (20)

Judicial positions are ranked as follows:

- a- Chief of the Supreme Court.
- b- Deputy Chief of the Supreme Court.

- c- Judge of the Supreme Court.
- d- Judge of the Court of Appeal.
- e- Judge of a Primary Court of First Instance.
- f- Judge of a Primary Court of Second Instance.
- g- Judge.
- h- Assistant Judge.

Article (21)

Whoever is appointed to the judiciary must be:

- a- Muslim, of Omani nationality.
- b- Fully legally competent.
- c- Of good conduct and reputation.
- d- Holder of a certificate in Islamic Sharia or Law from one of the recognized universities or higher institutes.
- e- Must not have been issued penal or disciplinary judgments against him for reasons affecting honesty and honor, unless his esteem has been restored.
- f- Must pass the tests and interviews held for this purpose.

Article (22)

As an exception from the provision of paragraph (f) of Article (21) and the first paragraph of Article (4A) [*Note: Reference to Art. 4A seems out of place here, might be a typo*], it is permissible to appoint to the judiciary someone who holds the nationality of an Arab state and is Muslim, if no Omani is available.

Article (23)

The first appointment shall be to the position of Assistant Judge. The Assistant Judge undergoes training for a period not less than two years, according to the system established by the Council of Administrative Affairs, issued by a decision of the Minister of Justice. If he does not pass the prescribed training within a maximum of three years, he is transferred to a non-judicial position by a decision of the Minister of Justice. The position to which he is transferred is determined according to his qualifications and experience.

Article (24)

Whoever among the Assistant Judges passes the training according to Article (23) of this Law is appointed to the position of Judge.

Article (25)

Taking into account the provisions of Article (21), whoever has worked in teaching Islamic Sharia or Law in recognized universities and higher institutes, or practiced law for a period not less than:

- Three years, if the appointment is to the position of Judge.
- Six years, if the appointment is to the position of Judge of a Primary Court of Second Instance, including, for lawyers, two years before the Primary Courts.

- Eight years, if the appointment is to the position of Judge of a Primary Court of First Instance, including, for lawyers, three years before the Primary Courts.
- Twelve years, if the appointment is to the position of Judge of the Court of Appeal, including, for lawyers, two years before the Courts of Appeal.
- Seventeen years, if the appointment is to the position of Judge of the Supreme Court, including, for lawyers, two years before the Supreme Court.
may be appointed to one of the following judicial positions.

Article (26)

Taking into account the provisions of Article (21), whoever has spent a period not less than the following engaged in equivalent legal work may be appointed to one of the following judicial positions:

- Five years, if the appointment is to the position of Judge.
- Eight years, if the appointment is to the position of Judge of a Primary Court of Second Instance.
- Ten years, if the appointment is to the position of Judge of a Primary Court of First Instance.
 - Fourteen years, if the appointment is to the position of Judge of the Court of Appeal.
 - Nineteen years, if the appointment is to the position of Judge of the Supreme Court.

Article (27)

The Minister of Justice, after the approval of the Council of Administrative Affairs, issues a decision specifying the legal works considered equivalent to judicial work.

Article (28)

Taking seniority into account, the Deputy Chiefs of the Supreme Court are chosen from among its judges.

Article (29)

Taking seniority into account, the Presidents of the Courts of Appeal are chosen from among the judges of the Supreme Court or judges of the Courts of Appeal who have held this position for at least six years.

Article (30)

The most senior judge in the Primary Court presides over it.

Article (31)

Without prejudice to the text of Article (33), and after the approval of the Council of Administrative Affairs, it is permissible to exempt Omanis from the periods stipulated in Articles (25) and (26) [*Note: Text says Articles (29), but context suggests (25) and (26)*] during the ten years following the date of this Law's implementation. It is also permissible during this period, after the Council's approval, to exempt them from a quarter of the remaining periods stipulated in this Law.

Article (32)

Appointment to judicial positions is by a decision of the Minister of Justice after the approval of the Council of Administrative Affairs, except for the position of Chief of the Supreme Court, the position of Deputy Chief of the Supreme Court, and the position of Judge of the Supreme Court, whose appointment is by Royal Decree based on the Council's nomination.

Section Two: Concerning Promotion

Article (33)

Promotion occurs through appointment to the position of:

- a- Judge of a Primary Court of Second Instance, from among judges who have held the position of Judge for at least two years.
- b- Judge of a Primary Court of First Instance, from among judges who have held the position of Judge of a Primary Court of Second Instance for at least four years.
- c- Judge of the Court of Appeal, from among judges who have held the position of Judge of a Primary Court of First Instance for at least four years.
- d- Judge of the Supreme Court, from among judges who have held the position of Judge of the Court of Appeal for at least six years.

Article (34)

Promotion to the positions of Judges of the Supreme Court and below is conducted on the basis of seniority and inspection reports. In all cases, promotion to a higher position is only permissible if the candidate has proven to have obtained an efficiency rating not less than "Above Average" in the two reports preceding the promotion.

Section Three: Concerning Seniority

Article (35)

The seniority of judges, whether in appointment or promotion, is determined from the date of their nomination by the Council of Administrative Affairs. If the Decree or decision includes more than one person, their seniority among themselves is according to their order in the Decree or decision. The seniority of judges who are reappointed to their positions is according to what is determined by the Decree or decision issued for their reappointment.

Article (36)

The seniority of someone who has worked in teaching, law practice, or equivalent legal work, upon his appointment to one of the judicial positions, is determined from the date he met the conditions of suitability for the position he is appointed to, provided he does not precede his colleagues in the judiciary.

Chapter Two

Concerning the Transfer, Secondment, and Loan of Judges

Section One: Concerning Transfer

Article (37)

At the beginning of each judicial year, a decision is issued by the Minister of Justice, after the approval of the Council of Administrative Affairs, selecting the presidents of the Courts of Appeal and Primary Courts and assigning judges to courts. Their transfer from one court to another during the judicial year is by a decision of the Minister of Justice, after the Council's approval. The date of transfer is considered from the date of notification of the decision.

Article (38)

Judges may be transferred to the Public Prosecution, and members of the Public Prosecution may be transferred to the judiciary, to equivalent positions - as the case may be - by Royal Decree or by decision, based on the recommendation of the Council of Administrative Affairs.

Section Two: Concerning Secondment and Loan

Article (39)

The Minister of Justice may, when necessary and after the approval of the Council of Administrative Affairs, second judges to a court other than their own for a period not exceeding six months, renewable for one other period.

Article (40)

In case the position of court president becomes vacant, or he is absent, or an impediment exists for him, the most senior then next most senior judge shall exercise his competencies. In case of the absence of a judge or an impediment for him, the court president seconds a judge in his place, ensuring that the secondment is by rotation among the judges.

Article (41)

Judges may be loaned or seconded to perform legal work in government agencies, public bodies or institutions, or companies in which the State contributes to their capital, or with foreign governments or international bodies, by a decision of the Minister of Justice, after the approval of the Council of Administrative Affairs and provided the judge consents. The Council shall determine - in case of secondment - any remuneration he may be entitled to.

Article (42)

The period of a judge's secondment to other than his work according to Article (41) may not exceed three consecutive years. Also, the period of his loan according to the mentioned Article may not exceed four consecutive years.

Article (43)

The period is considered consecutive under the provision of Article (42) if its days are successive, or separated by a time gap of less than five years. The position of the loaned judge may be filled if the loan period is not less than one year. If the loaned judge returns to his work before the end of the loan period, he occupies the vacant position equivalent to his position or occupies his original position personally, provided his status is settled on the first equivalent position to his that becomes vacant.

Article (44)

A judge may not, without the approval of the Council of Administrative Affairs, be an arbitrator - even without remuneration - even if the dispute is not presented to the judiciary, unless one of the parties to the dispute is among his relatives or in-laws up to the fourth degree. Also, without the Council's approval, a judge may not be seconded to be an arbitrator for the government, or one of the public bodies or institutions, or companies in which the State participates, whenever they are a party to a dispute intended to be resolved through arbitration. The secondment is issued by a decision of the Minister of Justice, after the judge's consent. In this case, the Council of Administrative Affairs determines the remuneration the judge deserves.

Chapter Three

Concerning the Salaries of Judges, Termination of their Service, and their Pensions Section One:

Concerning Salaries

Article (45)

The salaries of judges, their allowances, and the bonuses granted to them are determined according to the schedule issued by Royal Decree. It is not permissible to decide a salary for any of them on a personal basis or to treat them exceptionally in any form. The provisions of the contracts concluded with non-Omanis apply to them.

Article (46)

Whoever is appointed to one of the judicial positions is granted the salary of the position he was appointed to. Whoever is promoted to a higher position is granted the salary of this position or an increment of its increments, whichever is greater, effective from the date of promotion. The periodic increment is due on the first of January following the passage of at least six months from the date of first appointment, then from the date of the expiration of one year from the due date of the previous periodic increment.

Article (47)

A judge who reaches the salary of the higher position deserves the increments and bonuses prescribed for this position once he has spent four years in his position, provided his salary does not exceed the salary prescribed for the position of Chief of the Supreme Court.

Section Two: Concerning Termination of Service and Pensions

Article (48)

The service of a judge ends upon reaching the age of sixty-five. Whoever reaches this age continues to work during the judicial year until its end. This period is not counted for pension or gratuity. The resignation of a judge does not entail the loss of his right to a pension or gratuity. The judge's resignation is considered accepted after one month from the date of its submission to the Minister of Justice if it is not associated with a condition or suspended on a condition. The Minister of Justice may accept the resignation before the expiry of this period. In all cases of termination of service, the judge's pension or gratuity is settled based on the last salary he was receiving, including housing, electricity, and water allowances, and according to the rules prescribed for employees whose service ends due to the abolition of the position or work circumstances.

Housing, electricity, and water allowances are subject to the same deduction percentage applied to the basic monthly salary, as stipulated in the mentioned Law of Pensions and End-of-Service Gratuities for Omani Government Employees.

Article (49)

If a judge is unable, due to his illness, to perform his work after the expiry of the leave prescribed in Article (62), or it appears at any time that he is unable for health reasons to perform his function appropriately, he is referred to retirement after the approval of the Council of Administrative Affairs.

The Council may, in this case, exceptionally increase the period of the judge's service counted for pension or gratuity by an additional period, provided this period does not exceed half of his service period or the remaining period until reaching the prescribed age for retirement, whichever is greater.

Chapter Four Concerning the Duties of Judges

Article (50)

Judges, before assuming their functions, take the following oath: ((I swear by Almighty God that I will judge with justice and that I will respect the laws)). The Chief of the Supreme Court takes the oath before His Majesty the Sultan in the presence of the Minister of Justice. The rest of the judges take the oath before the Minister of Justice in the presence of the Chief of the Supreme Court. The taking of the oath is recorded in a special register.

Article (51)

It is prohibited for a judge to engage in any commercial work. It is also prohibited for him to engage in any work that is inconsistent with the independence and dignity of the judiciary. The Council of Administrative Affairs may prevent a judge from engaging in any work it deems inconsistent with the duties of the function and its proper performance, and the independence and dignity of the judiciary.

Article (52)

It is prohibited for judges to express political opinions. It is prohibited for a judge to engage in political work.

Article (53)

A judge may not hear any case in which he, or one of his relatives or in-laws up to the fourth degree, has a personal interest - direct or indirect. He may also not do so if he has a relationship with any of its parties that conflicts with impartiality. He may not offer advice to any of the litigants in any case, even if it is not presented before him, or express an opinion on it. The judge loses competence to hear the case if he violates this prohibition.

Article (54)

A judge may not disclose the secrets of deliberation.

Article (55)

Judges between whom there is a kinship or in-law relationship up to the fourth degree may not sit in the same circuit. Also, the representative of the public authority, or the representative of one of the litigants, or his defender, may not be someone connected by the mentioned relation to one of the

judges hearing the case. The power of attorney of the representative or defender connected to the judge by the mentioned relation is not considered if the power of attorney is subsequent to the judge hearing the case.

Article (56)

The judge must reside in the city where his workplace is located. The Minister of Justice may, for exceptional circumstances, permit the judge to reside in another city that is close to his workplace. His move in this case may be at government expense.

Article (57)

A judge may not be absent from his workplace, nor may he leave it without a sudden reason before obtaining written permission. If he breaches this duty, the court president shall notify him of that in writing. If the judge repeats the breach stipulated in the previous paragraph, the matter is raised to the Council of Administrative Affairs to consider holding him accountable. A judge is considered to have resigned if he leaves his work for thirty consecutive days without permission, even if that is after the end of his leave, sick leave, or secondment to other than his work. If he returns and presents excuses, the Minister of Justice presents them to the Council of Administrative Affairs. If their seriousness is proven, the judge is considered not to have resigned. In this case, the period of absence is counted as leave of the type of the previous leave or as exceptional leave, as the case may be.

Chapter Five

Concerning Leave

Article (58)

The judiciary has a vacation that begins each year on the first of July and ends at the end of September. The general assemblies of the courts organize the judges' leave during the judicial vacation. In all cases, the leave period may not exceed two months for judges of the Supreme Court and those of their rank, and fifty days for others.

Article (59)

The Courts of Appeal and the Primary Courts continue during the judicial vacation to hear urgent cases. These cases are determined by a decision of the Minister of Justice after the approval of the Council of Administrative Affairs.

Article (60)

The general assembly of each court organizes work during the judicial vacation, determining the number of sessions, their days of convening, and which judges will work therein. A decision to that effect is issued by the Minister of Justice.

Article (61)

Judges are not granted leave outside the judicial vacation except for those who performed work during it. However, leave for exceptional circumstances may be granted if the work situation permits.

Article (62)

The sick leave a judge obtains within three years is one year with full salary. After the approval of the Council of Administrative Affairs, the judge's sick leave may be extended for another six months with three-quarters of the salary in addition to the due allowances. The judge, in case of illness, may benefit from the balance of his ordinary leave, alongside what he deserves from his sick leave. Upon his request, his sick leave may be converted to ordinary leave if he has a balance thereof.

Chapter Six

Concerning Judicial Inspection

Article (63)

A General Directorate for Judicial Inspection is established at the Ministry of Justice, composed of a head chosen by selection from among the judges of the Supreme Court, and a sufficient number of members selected from among the judges of the Supreme Court.

and the Courts of Appeal. They are seconded for one year, renewable by a decision of the Minister of Justice, after the approval of the Council of Administrative Affairs. The Minister of Justice issues a regulation for judicial inspection, after the Council's approval. Judges must be informed of everything deposited in their confidential files, whether observations or other papers.

Article (64)

The General Directorate for Judicial Inspection is specialized in the following:

- a- Inspecting the work of judges of the Courts of Appeal and below.
- b- Examining and investigating complaints submitted against judges, related to their functional work and conduct, or behavioral matters.

Article (65)

Efficiency is assessed by one of the following grades:

Efficient - Above Average - Average - Below Average. Inspection must be conducted at least once every year. The inspection report is deposited in the confidential file as soon as the judicial inspection completes the efficiency assessment. The inspection must be carried out by a member holding a position higher than the judge whose work is being inspected, or senior to him in seniority, if they are in the same position.

Article (66)

The Minister of Justice notifies the judge whose efficiency was rated as "Average" or "Below Average" with a copy of the report, immediately upon its issuance. The judge whose turn for promotion has come and whose name was not included in the nomination list for promotions for reasons not related to efficiency assessment is notified in writing of the reasons for being passed over. Notification must be made at least thirty days before presenting the schedule to the Council of Administrative Affairs.

Article (67)

The Minister of Justice presents to the Council of Administrative Affairs the case of whoever obtains a "Below Average" rating in three consecutive reports to examine his situation. If the Council finds the reports correct or final according to the provisions of Articles (68) and (69) [Note: Text says (18) and

(19), but context suggests (68) and (69)], it decides to refer the judge to retirement, or transfer him to another non-judicial position. The Minister of Justice informs the judge of the decision issued concerning him immediately upon its issuance. The judge's tenure ends from the date of his notification. Whoever is transferred retains his salary even if it exceeds the maximum of the grade of the position he is transferred to.

Chapter Seven

Concerning Grievance and Challenging Decisions Related to Judges' Affairs Section One: Concerning Grievance

Article (68)

In the two cases stipulated in Article (66), it is permissible to submit a grievance to the Council of Administrative Affairs, within thirty days from the date of notification. The grievance is submitted by a memorandum presented to the President of the Council.

Article (69)

The Council of Administrative Affairs decides on the grievance after reviewing the papers and hearing the statements of the grievant when necessary. It issues its decision in the case of being passed over for promotion before approving the promotions. The Council's decision is final and is communicated to the concerned person by registered mail.

Section Two: Concerning Lawsuits Related to Judges' Affairs

Article (70)

Except for what is specifically mentioned in Chapter Eight of Part Three of this Law, the Council of Administrative Affairs designates one of the circuits of the Supreme Court to specialize - exclusively - in adjudicating lawsuits filed by judges to review final administrative decisions related to any of their functional affairs, and for compensation thereof, provided the basis of the lawsuit is a defect in jurisdiction, or in form, or a violation of laws or regulations, or error in their application or interpretation, or abuse of power. It also specializes exclusively in adjudicating lawsuits related to the salaries, pensions, and gratuities due to judges or their heirs. Whoever was a member of the Council of Administrative Affairs may not sit to adjudicate the mentioned lawsuits if he participated in issuing the decision challenged in the lawsuit.

Article (71)

The lawsuit is filed within thirty days from the date the decision was issued, or the concerned person was notified of it, or he learned of it with certainty, by a memorandum deposited with the Secretariat of the Supreme Court, according to the procedures prescribed for filing lawsuits. No fees are collected for this lawsuit.

Article (72)

The plaintiff conducts all procedures before the circuit himself. He may submit his defense in writing, or delegate for that one of the judges who is not from the Supreme Court judges. The circuit decides the

lawsuit after hearing the defense of the plaintiff and the Public Prosecution. The judgment issued therein is final and not subject to challenge by any means of appeal.

Chapter Eight

Concerning the Accountability of Judges

Article (73)

The Chief of the Supreme Court has the right to alert judges - verbally or in writing - after hearing their statements, regarding what they commit that violates their duties or the requirements of their functions. If the alert is in writing, a copy must be sent to the Council of Administrative Affairs and another to the Minister of Justice.

Article (74)

The accountability of judges of all grades is within the jurisdiction of an Accountability Council formed under the presidency of the Chief of the Supreme Court and the membership of the four most senior deputies. In case of the President's absence or an impediment for him, he is replaced by the most senior then next most senior of his deputies. In case of the absence of one of the members or an impediment for him, he is replaced by the most senior then next most senior of the Deputy Chiefs, then the judges of the Supreme Court.

Article (75)

The judge may appeal to the Accountability Council regarding any written alert within thirty days from the date of his notification. The Council, after hearing the judge's statements, may delegate one of its members to investigate the incident. The one who conducts the investigation - if there is reason for it based on the subject of the alert - must be senior to the judge being investigated. Whoever issued the alert may not be a member of the Accountability Council. The Council issues a decision either confirming the alert or canceling it. Its decision is final and not subject to challenge by any means of appeal. It is communicated to the Council of Administrative Affairs and the Minister of Justice. The alert, after confirmation, is kept in the judge's confidential file. If the violation continues or repeats after the alert is confirmed in the mentioned manner, filing an accountability lawsuit against the judge becomes obligatory.

Article (76)

Every judge who breaches the duties of his function or its honor, or behaves in a manner that diminishes its standing or dignity, or it appears at any time that he has lost the suitability to perform the work of his function for reasons other than health, is referred to the Accountability Council.

Article (77)

The accountability lawsuit is filed by the Attorney General - upon the request of the Minister of Justice on his own initiative or based on a proposal from the Chief of the Court to which the judge belongs - by a memorandum containing the charge or charges and the supporting evidence. The request to file the lawsuit must be preceded by an investigation conducted by one of the members of the Judicial Inspection who is delegated for this purpose by a decision of the Minister of Justice. The one who conducts the investigation must be senior to the judge being investigated. The Accountability Council

may conduct whatever investigations it deems necessary, and it may delegate one of its members to do so. The Council or the delegated member for conducting the investigation has the authority of a judge regarding summoning witnesses whose statements it sees benefit in hearing.

Article (78)

The accountability lawsuit against the Chief of the Supreme Court is filed by the Minister of Justice. In this case, the Attorney General represents the Minister in taking all procedures.

Article (79)

If the Accountability Council finds grounds to proceed with the lawsuit regarding all or some of the charges, it issues its decision notifying the judge of the lawsuit memorandum and requiring him to appear before it, provided the notification is made at least one week before the scheduled session date. The judge is notified and required to appear through the president of the court to which he belongs. The Accountability Council, when deciding to proceed with the lawsuit, may order the suspension of the judge from work or consider him on leave until the accountability lawsuit concludes. This does not entail depriving the judge of his salary or allowances. The Council may reconsider the decision of suspension or leave at any time.

Article (80)

Sessions of the Accountability Council are secret. The Council adjudicates after hearing the requests of the Attorney General and the defense of the judge. The judge may attend himself and may submit his defense in writing or delegate a judge for his defense. The Council has the right to request the personal attendance of the judge. If he does not attend or delegate anyone, it is permissible to decide the accountability lawsuit in his absence after verifying the correctness of his notification.

Article (81)

The accountability lawsuit lapses upon the death, resignation, or referral to retirement of the judge. The accountability lawsuit does not affect the criminal or civil lawsuit arising from the incident subject to accountability.

Article (82)

The judgment in the accountability lawsuit is issued by a majority of votes. It is final and not subject to challenge by any means of appeal. The judgment must include the reasons on which it is based, and its reasons are read out when pronounced in a secret session.

Article (83)

The Accountability Council may impose on the judge any of the following penalties:

- Warning.
- Transfer to a non-judicial position.
- Dismissal.

Dismissal or transfer to a non-judicial position is issued by Royal Order.

Article (84)

The Minister of Justice notifies the judge in writing of the judgment issued against him within forty-eight

hours of its issuance. The judge's tenure ends from the date of his notification of the transfer to a non-judicial position or his dismissal. The Minister of Justice also notifies the Civil Service Ministry of the Royal Order to implement the transfer to a non-judicial position.

Article (85)

If it appears at any time that the judge has lost the reasons for suitability for reasons other than health, the request for referral to retirement or transfer to a non-judicial position is raised to the Accountability Council, initiating the procedures stipulated in Articles (77) and (78) [*Note: Text says (78), but context suggests initiating procedures*]. The provisions of Articles (79), (80), (82), (83), and (84) of this Law apply to him.

Chapter Nine

Concerning Judicial Immunity and Procedures for Lifting It

Article (86)

Judges - except Assistant Judges - are not subject to dismissal except in the cases and according to the procedures stipulated in this Law. None of the judges of the Supreme Court may be transferred or seconded except with approval.

Article (87)

In non-flagrante delicto cases, it is not permissible to arrest a judge or detain him provisionally except after obtaining permission from the Council of Administrative Affairs. In flagrante delicto cases, when arresting or detaining the judge, the matter must be raised to the Council of Administrative Affairs within the following twenty-four hours. The Council, after hearing the judge's statements, may decide either to release him with or without bail, or to continue his detention for a period it determines. It may, observing the previous procedure, renew this period.

Article (88)

Investigation procedures may not be taken or a criminal lawsuit raised against a judge except with permission from the Council of Administrative Affairs, based on a request from the Attorney General.

Article (89)

The detention of judges and the execution of freedom-depriving penalties issued against them are carried out in places other than those designated for detaining other prisoners.

Article (90)

The detention of a judge necessarily entails his suspension from performing the work of his function for the duration of his detention. The Council of Administrative Affairs - either on its own initiative or based on a request from the Minister of Justice - may suspend the judge from performing the work of his function during investigation or trial procedures. The suspension of the judge does not entail depriving him of his salary or part of it, unless explicitly stated in the suspension order. The Council of Administrative Affairs may - at any time - reconsider the matter of suspending the judge from his work or depriving him of his salary. In case the judge is acquitted, what was withheld from his salary is paid to him.

Part Four

Concerning Court Administration

Article (91)

The Ministry of Justice undertakes the administrative and financial supervision of the courts and takes appropriate procedures and measures to ensure their proper standard.

Article (92)

An administrative body called the "General Directorate for Courts" is established at the Ministry of Justice, composed of a head, a deputy head, and a sufficient number of employees. All court employees are affiliated with the General Directorate for Courts.

Article (93)

Without prejudice to the right of court presidents to supervise and oversee their subordinate employees, the head of the General Directorate for Courts has supervision over these employees.

Article (94)

The Minister of Justice issues the organizational regulations for the General Directorate for Courts, defining its competencies, and organizing the relationship between it and the administrative bodies in the courts.

Article (95)

The Ministry of Justice appoints a sufficient number of employees to work in the courts. The titles and competencies of administrative positions in the courts are determined by a decision of the Minister of Justice.

Article (96)

In matters for which there is no specific text, the provisions of the Civil Service Law and its executive regulations apply to court employees.

Article (97)

Court employees are obligated to preserve the judicial papers related to their work, and they must carry out everything imposed on them by laws, decisions, and instructions.

Article (98)

Court employees are prohibited from disclosing the secrets of cases. They may not allow anyone to access them except concerned parties, or those whom laws, regulations, or instructions permit to access them.

Article (99)

A decision is issued by the Minister of Justice regulating the work of expertise before the courts, defining the rights and duties of experts, methods of holding them accountable, and everything related to their functional affairs.

Part Five

Concerning Temporary and Final Provisions

Article (100)

His Majesty the Sultan exercises the competencies of the Council of Administrative Affairs during the period prior to filling the positions that constitute the Council.

Article (101)

The Minister of Justice issues a decision regularizing the situations of judges in service on the date of implementation of this Law, by transferring them to positions equivalent to their current positions, according to the provisions of this Law. The equivalent position is determined in light of the years of experience stipulated in this Law. The judge retains his salary - on a personal basis - if it exceeds the salary allocated for this position.

Article (102)

A Higher Institute of the Judiciary is established by Royal Decree. The Decree defines its objectives, competencies, and method of administration.

Article (103)

The necessary financial allocations are designated for the judiciary. These allocations are included within the budget of the Ministry of Justice. The Ministry of Justice, after taking the opinion of the Council of Administrative Affairs, submits the estimates for these allocations to the Ministry of Finance.

Article (104)

In matters for which there is no specific text, the provisions of the Civil Service Law and its executive regulations, and the Law of Pensions and End-of-Service Gratuities for Omani Government Employees, apply to judges.

Table of Governorates where Primary Courts are established

No.	Governorate
1	Muscat
2	Al Seeb
3	Qurayyat
4	Barka
5	Nakhl
6	Wadi Al Maawil
7	Rustaq

No.	Governorate
8	Al Suwaiq
9	Al Suwayq
10	Al Khaburah
11	Saham
12	Sohar
13	Shinas
14	Liwa
15	Khasab
16	Diba
17	Nizwa
18	Bahla
19	Adam
20	Izki