The Implementing Regulations of the Saudi Building Code Application Law

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كود البناء السعودي
Saudi Building Code

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Chapter I

Definitions

Article 1:

The following words and phrases, wherever mentioned in these Regulations, shall have the meanings ascribed thereto unless the context requires otherwise:

Ministry: Ministry of Municipal, Rural Affairs, and Housing.

Minister: Minister of Municipal, Rural Affairs, and Housing.

Municipal Body: Secretariat or municipality.

Organization: Saudi Standards, Metrology and Quality Organization.

National Committee: Saudi Building Code National Committee.

The relevant Body in the Ministry: The Central Unit of the Saudi Building Code in the Ministry of Municipal, Rural Affairs, and Housing.

Code: The Saudi Building Code, a set of provisions and requirements and subsequent implementing regulations and annexes related to building and construction to ensure public safety and health.

Requirements: Design details and methods of implementation, construction and identification of the standards that are considered the basis and reference in application of the code.

Provisions: The procedures and controls of building licenses and the preparation of engineering plans and their requirements for buildings and Installations, and constitute an integral part of the requirements.

Law: The Saudi building code application law.

Regulations: The Implementing Regulations of the Saudi Building Code.

Regulations for Classification of Violations: Regulations for classification of code violations and identification of the penalties prescribed for each violation.

Consideration Committee: The committee to consider violations to the code.

Construction / Building: The construction prepared for use and occupancy, and for which a classification is provided in the code.

Approved Designer: The natural or legal person licensed by the concerned authority, with whom the owner contracts to carry out studies and designs to meet his needs and requirements according to the code.

Supervising Designer: The natural or legal person licensed by the concerned authority to exercise the supervision work, who is contracted by the owner to supervise the implementation according to the approved licenses and plans.

Contractor: A natural or legal person licensed by the concerned authority to engage in construction work, contracted by the owner to carry out construction, installation, operation or maintenance according to the code.

Hidden Defect: Any defect in the construction works or their protective elements that weaken the strength or stability of the building, or any defect due to errors, malfunctions, or shortcomings in the design, materials, location or construction, provided that this defect was not discovered on the date of issuance of the occupancy certificate.

Inspection: Inspection of a product or a product design, procedure or construction and identification of compliance to the code requirements or general requirements based on the professional judgment specified in the Technical Regulations or standard specification, and in accordance with the requirements of the code.

Inspection Body: Third Party inspection body acceptable to the Organization and licensed to carry out inspection work according to the fields of the code.

Inspector: The natural or legal person licensed and authorized by t the Saudi Council of Engineers to carry out the inspection of buildings according to the code.

Supervision: follow up and accountable monitoring by a professional and competent registered engineer who has the necessary qualifications and the competent experience to perform the responsibilities associated with the inspection.

Building License: A written permit issued by the Municipal Body in accordance with the provisions of the municipal licensing procedures and its implementing regulations

Certificate of Occupancy: A permission to occupy the building to be issued by the Municipal Body after ensuring that the building conforms to the code.

License to Practice: A professional permit issued by the concerned body for natural and legal persons to carry out studies, designs, implementation, supervision, or inspection, according to the code

Relevant Authorities: The relative government agencies, as per their duty to control the application of the Code, namely: the Ministry of Municipal and Rural Affairs and Housing,

Ministry of Interior (the General Directorate of Civil Defense), Ministry of Energy, and the Saudi Standards, Metrology and Quality Organization.

Violation: Any intentional or unintentional infringement of the code, its application law, or its regulations.

Violator: Any natural or legal person who violates the code or any of the provisions of its application law or regulations.

Hazardous Violation: Any violation of the Code, which failure to remove or correct, may jeopardize lives or property, or directly cause damage to human health or the environment.

Public Utilities: Electricity, Telephone, Water and Sanitation.

Chapter II

The objective and scope of the code application

Article 2:

The code aims to establish the minimum provisions and requirements that achieve safety and public health through the durability and stability of buildings and facilities, considering full access to them and provide a healthy environment, adequate lighting and ventilation, rationalization of water and energy, protection of life and property from the risks of fire, earthquakes and other risks associated with buildings.

Article 3:

The code consists of the following:

1. Administrative requirements.
2. Architectural provisions and requirements.
3. Structural provisions and requirements.
4. Electrical provisions and requirements.
5. Mechanical provisions and requirements.
6. Provisions and requirements for water and energy conservation.
7. Provisions and requirements of sanitary and water rationalization.
8. Provisions and requirements of fire protection.
9. Provisions and requirements of earthquake protection.
10. Provisions and requirements of existing and historical buildings.
11. Green building provisions and requirements.
12. Provisions and requirements of residential buildings.
13. Reference Standard Specifications.
14. Any other provisions or requirements issued by the National Committee.

Article 4:

The provisions and requirements of the Code shall constitute an integral unit for application.

Article 5:

The code applies and prohibits the application of any other code to all building and construction works in the public and private sectors according to the classification of buildings, including the design, implementation, operation, maintenance and modification of the building, and the existing buildings in case of restoration, alteration of use, expansion, modification and removal, as from the date of entry into force of the law according to the hierarchy shown in the annex for the implementation stages of the code. By the end of the implementation stages, the code shall apply to all types of buildings classified therein.

Article 6:

The provisions and requirements of the Code relating to thermal insulation, fire protection systems shall be applied to all construction works immediately after the entry into force of the law, without considering the stages of gradation referred to in Article 5 of the Regulations.

Article 7:

The application of the provisions and requirements of the code on the existing buildings shall be according to the possibility of application, based on a technical report from a certified engineering office containing possible engineering solutions, and according to the law.

Chapter III

Duties of relative authorities and issuance of building licenses

Article 8:

Without prejudice to the right of the relevant authorities to exercise their duties and responsibilities according to their regulations, the Ministry and the municipal body shall carry out in terms of the code, for example, the following duties:

1. Prepare the required survey reports according to the requirements of the guideline plan.
2. Issue building, restoration, destruction, modification and other licenses.
3. Follow up and monitor the code implementation.
4. Follow-up inspections and testing works during construction work.
5. Issue the occupancy Certificate after building completion and ensuring that it conforms to the code.
6. Approve the delivery of permanent and temporary public utilities.
7. Keep records of building, monitoring, inspection, control and penalties.

8. Build a database of engineering offices, companies and institutions licensed to carry out construction works and accredited bodies to audit plans and inspect buildings.
9. Appointing inspection bodies according to their specialties in the code.

Article 9:

Without prejudice to the right of the relevant authorities to exercise their duties and responsibilities according to their regulations, the Ministry of Interior (Directorate of civil defense), in respect of the code, shall carry out the following duties:

1. Follow up and monitor the application of the code and control its violations in relation to the requirements of fire prevention and protection systems in all stages of construction, maintenance, operation and storage.
2. Coordinate with the competent authorities to ensure that engineering and technical offices and contractors have the necessary qualification in the field of fire prevention and protection requirements in buildings to practice design, supervision, implementation, maintenance and operation works.
3. Appointing the inspection bodies in the field of fire protection and fighting.

Article 10:

Without prejudice to the right of the relevant authorities to exercise their duties and responsibilities according to their regulations, the Ministry of Energy, in terms of the code, shall carry out the following duties:

1. Coordinate with the competent authorities to prepare the requirements for qualification of engineering and technical offices and contractors to carry out electrical works and energy conservation.
2. Follow up and monitor the application of the code and control of violations in relation to the electrical works and energy conservation within its duties.
3. Appointing the inspection bodies in the field of electrical works and energy conservation.

Article 11:

Without prejudice to the right of the relevant authorities to exercise their duties and responsibilities according to their regulations, the Organization, in terms of the code, shall carry out the following duties:

1. Accept conformity assessment bodies, including inspection bodies, within the works of the code in a field or fields specified by the Organization in accordance with the provisions issued by it.
2. Update the reference standard specifications for the code in accordance with the issued standard specifications and technical regulations

Article 12:

The competent authority in the Ministry is responsible for coordinating to complete the automation linkage between the Baladi platform and other relevant authorities to complete their specialized tasks related to the application of the code.

Article 13:

Subject to the regulations of municipal licensing procedures and its executive regulations, no building, renovation, modification, removal, change of use or other similar license shall be issued unless the documents and drawings of the code are verified and approved.

Article 14:

The license applicant undertakes to abide by the code, and to entrust the design, supervision and implementation work to specialists who hold professional practice licenses issued by the concerned authority and to submit the contracts concluded with them, showing their addresses and contacts, provided that those contracts explicitly state for the commitment of practitioners to carry out the work entrusted to them according to code. The license applicant is obliged to specify his address and contacts and update them when changed, and his notice through them shall be valid.

Article 15:

The owner, approved designer, Supervising designer and contractor shall communicate with the municipal body if there is disagreement about the application of the code or interpretation of its clauses. They shall report any violation by one of the parties. They may communicate with the municipal body or with the competent authority in the ministry if there are proposals that will develop or improve the code.

Chapter IV

Certificate of Occupancy

Article 16:

The building shall not be occupied until after obtaining a certificate of occupancy from the municipal body according to the occupancy classification contained in the Saudi building code (SBC 201).

Article 17:

Subject to the municipal licensing procedures law and its executive regulations, the license holder shall apply to the Municipal body after completion of the building for the issuance of

the occupancy certificate and attach with the application the necessary licenses and requirements, the final inspection work, tests and as built drawings.

Article 18:

The application for issuance of Occupancy Certificate must be decided upon after verifying the application of the provisions and requirements of the Code within three business days from the date of submission of the application. If the application is rejected, the applicant shall be notified with the reasons for refusal by duly applicable means of notification. The occupancy certificate must include the following data:

- Number and date of building license.
- Name and address of the building owner.
- Building address, coordinates, description and classification.
- Name of the municipal body.
- Type of use and occupancy.
- Availability of fire prevention and protection systems.
- Name and signature of the holder.

Article 19:

The Municipal body may issue a temporary occupation certificate for a period not exceeding one hundred and eighty days, renewable, for temporary and seasonal installations, festivals and events, and labor housing in large projects when needed during the period of implementation provided that it is verified that the occupancy will be carried out safely and according to the code.

Article 20:

Subject to the applicable laws and regulations, the Municipal Authority and the relevant authorities may request disconnection of public utilities when necessary to remove a direct hazard to life or property. The owner or occupant of the building shall be notified with the decision of disconnection. It is not allowed to return the utilities until after the reason for disconnection has been removed.

Chapter V

Inspection, monitoring, and follow-up

Article 21:

To verify the implementation of the code, inspections, tests, follow-up and approval according to the stages, types, procedures and rules specified in the code shall be carried out in a sequential manner according to the stages of construction, and may move from one stage to

another without obtaining the approval of relevant bodies, the relevant authorities shall have the right to suspend the building license at any stage of construction according to the code.

Article 22:

The license holder or his representative shall notify the inspector when the work is ready for inspection according to the construction stages, and shall provide all the documents, drawings and the necessary supplies for the required inspection and testing works.

Article 23:

Violations shall be controlled and penalties imposed in accordance with Regulations for Classification of the Saudi Building Code Violations.

Chapter VI

Building Code Updating, Developing and Re-issuing

Article 24:

The National Committee shall propose the amendment, development and updating of the Code. The relevant bodies and all concerned stakeholders shall directly provide the Committee with the notes detected during the implementation of the code and proposals for what needs to be modified and updated.

Article 25:

The National Committee shall set up a mechanism for receiving comments on the amendment or updating of the Code, and shall study such comments and submit the results to the Minister of Commerce, the Chairman of the Board of Directors of the Organization to issue the amendment or update decisions.

Article 26:

The National Committee shall prepare scientific and technical instructions and explanations of the Code. The relative bodies shall participate in the preparation of the training and qualification curricula and plans and hold workshops, seminars and conferences related to the Code.

Chapter VII

General Provisions

Article 27:

The Ministry and the relevant bodies may use approved engineering offices, companies and private institutions to carry out their tasks related to the implementation of the code according to the general requirements regulations for Appointing inspection bodies and inspectors for Saudi Building Code works.

Article 28:

The relevant body in the Ministry shall undertake the following duties:

1. Develop the mechanisms of applying the code and follow up implementation thereof by the secretariats and municipalities and provide the necessary technical support thereto.
2. Set up procedural guidelines and the necessary standard forms and the mechanism of coordination with the relevant bodies to implement the requirements of the law and its executive regulations.
3. Follow up the implementation of the decisions related to the code.
4. Supervise and follow-up the procedural work related to code implementation.
5. Follow-up procedures for the formation of committees to consider violations in coordination with the secretariats.
6. Prepare the committees rules of work to consider violations, procedures and reward their members and raise them for approval by a decision of the Minister.
7. Receive the comments and proposals on the application of the code and set up a database of the same and refer them to the National Committee for consideration and propose the necessary actions.
8. Any other duties entrusted to it.

Article 29:

1. The Supervising designer who supervising the implementation of the construction and the contractor shall be jointly responsible for compensating the owner for ten years - from the date of issuance of the occupancy certificate – for the total or partial demolition of the buildings they constructed or the facilities they built and for every hidden defect that threatens the durability and safety of the building.
2. The obligation to pay the compensation mentioned in Paragraph (1) shall remain valid, even if the defect or demolition was caused by a defect in the land itself or the employer's consent to construct the defective buildings or facilities.
3. The approved designer shall be responsible for design defects if his work is limited to developing the design only without supervising the implementation.

4. Every condition intended to exempt the contractor or Supervising designer from the warranty or limit it shall be null and void.

Article 30:

This regulation shall be effective as of the date of its publication in the Official Gazette.

Annex

Phases of code implementation

Stage 1: From the date of the law's entry into force until the end of the month of Dhu Al-Hijjah 1440H. During such period, the code shall be applied to the following buildings: Governmental administrative buildings, high buildings (towers, more than 23 m), hospitals and hotels.

Stage 2: From the end of the first stage until the end of the month of Dhu Al-Hijjah 1441H, during which the code shall be applied in addition to what was applied in the first stage on the following buildings: Complex buildings (mosques - sports facilities), educational buildings, trading malls, communications towers, Industrial buildings and facilities, buildings below 23 m, high-risk buildings.

Stage 3: From the end of the second stage until the end of the month of Dhu Al-Hijjah 1442H during which the code shall be applied in addition to what was applied in the first and second stages on the following buildings: Complex buildings (banquet halls, cinemas, theaters) health care centers, hotel furnished apartments, hostels, residential buildings and recreational facilities.

Stage 4: from the end of the third stage until the end of the month of Dhu Al-Hijjah 1443H during which the code shall be applied in addition to what was applied in the above three stages on the following buildings: business buildings (airports, banks, television stations, post).

Stage 5: From the end of the fourth stage until the end of the month of Dhu Al-Hijjah 1444H during which the code shall be applied in addition to what was applied in the above four stages on all types of buildings classified within it.