

In Saudi Arabia the memorandum is filed before the hearing, and procedural pleas before any defence on the merits. Before the commercial court the defendant, other than in urgent applications, files a memorandum of defence setting out the answer, all pleas, requests and grounds at least one day before the hearing. [1] Before the general court the filing is three days before the hearing, and before the other courts one day. [2] A plea that the statement of claim is invalid, that the court lacks territorial jurisdiction, or that the case should be transferred, is raised before any request or defence, or it is waived. [2] In the UAE, Federal Decree-Law No. 42 of 2022 regulates the exchange of memoranda and pleas. The usual names are a reply memorandum or a response. This page states no article number of that decree-law.

🔗 **Commercial Courts Law:** <https://laws.boe.gov.sa/BoeLaws/Laws/LawDetails/38334008-3b70-4c6c-b3af-aba3016a8061/1>

🔗 **Law of Procedure before Sharia Courts:** <https://laws.boe.gov.sa/BoeLaws/Laws/LawDetails/f0eaae46-9f84-40ee-815e-a9a700f268b3/1>

🔗 **Law of Evidence:** <https://laws.boe.gov.sa/BoeLaws/Laws/LawDetails/2716057c-c097-4bad-8e1e-ae1400c678d5/1>

Statement of defence

A reply memorandum in a commercial, civil or labour case in the GCC. It is not a memorandum in a criminal case, and it is not an appeal. Replace every [bracket]. This is a starting point. Have it reviewed by a lawyer licensed in the relevant jurisdiction before you use it.

Clause 1: Heading

To the [court] in [city], circuit [●]. Case no. [●]. Hearing [date]. Type: [commercial / civil / labour].

Clause 2: The parties

Defendant: [name, identity or registration, address]. Attorney: [name, power of attorney no.].

Claimant: [name, address].

Clause 3: The claim and what the claimant asks

The claimant sues for [●], relying on [●]. The facts are read as they stand in the [statement of claim](#), not as the defendant wishes they were.

Clause 4: Procedural pleas first

(1) Invalidity of the statement of claim: [the defect / not raised].

(2) Lack of territorial jurisdiction: [● / not raised].

(3) Transfer: [to ● / not requested].

Clause 5: Pleas that the claim is not admissible

- (1) No standing or no interest: ☐ / not raised].
- (2) The claim is not heard because time has passed: ☐ / not raised].
- (3) No prior notice where one is required: ☐ / not applicable].

Clause 6: Defence on the merits

- (1) Reply to fact ☐: [denial or a partial admission].
- (2) Reply to ground ☐: ☐.
- (3) [External cause / performance / payment / set-off], if it applies: ☐.

Clause 7: Evidence

The claimant proves what is claimed, and the defendant may disprove it. The defendant asks for: [an expert / questioning / a decisive oath / none of these].

Clause 8: Incidental request or counterclaim

[No incidental request / the defendant asks for ☐ relying on ☐]. Counterclaim, if any: ☐.

Clause 9: Final requests

- (1) Dismiss the claim.
- (2) Order the claimant to pay costs, where that is available.
- (3) [Compensation for a vexatious claim / not requested].

Clause 10: Attachments and signature

Filed by: name ☐ · capacity [principal / attorney] · power of attorney no. ☐ · signature ☐ · date ☐

Attachments: Annex 1.

Clause 11: Filing deadline

File this memorandum before the hearing fixed for [date], on the deadline that applies to this court, not on the day of the hearing.

Notes for Saudi Arabia

The Commercial Courts Law, the Law of Procedure before Sharia Courts, and the Law of Evidence. [1][2][3]

Point	Text
Commercial court	Other than in urgent applications, the defendant files a memorandum with the answer, pleas, requests and grounds at least one day before the hearing (Article 22). [1]
Procedure	Filing is three days before the hearing in the general court, and one day in the other courts (Article 45). [2]
Waiver	A plea of invalidity of the claim, lack of territorial jurisdiction, or transfer is raised before any request or defence, or it is waived (Article 75). [2]
Subject-matter jurisdiction	Read it in the Commercial Courts Law. This page states no article number and no time for the decision. [1]
Vexatious claim	A sham or vexatious claim is dismissed, and a discretionary penalty may be imposed (Article 3). [2]
Proof	The claimant proves the claim and the defendant may disprove it (Law of Evidence, Article 2). [3]
Oath	The defendant takes the decisive oath to defeat the claim, and may refer it back (Article 92). [3]

Notes for the United Arab Emirates

No article number. The usual name is a reply memorandum or a response.

Point	What is said here
The law	Federal Decree-Law No. 42 of 2022 regulates the exchange of memoranda and pleas. No article number is stated.
The name	“Reply memorandum” or “response” is the usual usage, alongside “statement of defence”.
The deadline	Take the filing deadline from the court regulations or the circuit’s order, not from this page.

Bahrain, Qatar, Kuwait and Oman

- Bahrain: the civil and commercial procedure law was not checked. Take the deadline from a Bahraini lawyer.
- Qatar: the civil and commercial procedure law was not checked.
- Kuwait: the civil and commercial procedure law was not checked.
- Oman: the civil and commercial procedure law was not checked.

Annex 1: Attachments

Describe each document. Attach the notice or the release if a plea rests on it.

No.	Description	Type
1	[Description]	[Contract / notice / release]
2	[●]	[●]
3	[●]	[●]

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Sources

- [1] Bureau of Experts, Commercial Courts Law <https://laws.boe.gov.sa/BoeLaws/Laws/LawDetails/38334008-3b70-4c6c-b3af-aba3016a8061/1>
- [2] Bureau of Experts, Law of Procedure before Sharia Courts <https://laws.boe.gov.sa/BoeLaws/Laws/LawDetails/f0eaae46-9f84-40ee-815e-a9a700f268b3/1>
- [3] Bureau of Experts, Law of Evidence <https://laws.boe.gov.sa/BoeLaws/Laws/LawDetails/2716057c-c097-4bad-8e1e-ae1400c678d5/1>