

United Attorneys for Legal Services & Consultation

المحامون المتحدون للمحاماة والاستشارات القانونية

Attorney of Law/ Saud M. Al-Humaidan

**Lawyers, Legal Consultations, Arbitrates
and Advocates**



We are experienced in many different legal practice areas

**Commercial Cases - Money Landry Cases - Arbitration-
Financial & Banking Cases- Environmental Cases
Administrative Cases- Contractual Issues - Intellectual
Property- Anti-Corruptions Cases- Labor Cases - Family
Cases - Leasing Cases- Debt Collection- Cyber Crimes
Cases - Criminal Cases - Compensation Cases- Juvenile Crimes -
Sexual Crimes- Drug Crimes – Oil Sectors Cases.**

We are pleased to offer our free legal consultation on the phone English speaking

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Welcome to our website: www.law-ku.com

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OFFERING OUR CLAIMANTS THE BEST SOLUTION ACCORDING TO THE STANDARD OF HONESTY



Our firm belief is that outstanding lawyers are not only those with the necessary legal expertise and skills, but also those with good moral qualities that are essential to the success of any lawyer and valued by our clients. *We believe in working at a cost-efficient speed to deliver work while never sacrificing quality to ensure that our clients receive Legal excellence of high quality without compromising our moral values.*

Kuwait Courts System

In Kuwait, the case first starts at the public prosecution. That might require you to go to a police station and wither be investigated by an investigator at least once. Then the investigators decide whether the matter needs to be either review in court or not. They it can decide to be dismiss the case or transfer the case to court.

Kuwait courts have the right to decide all cases, including commercial disputes with the government. The Kuwaiti court system is divided into six main divisions – family, criminal, civil, commercial, leases and administrative.

There are three levels of tribunal – The Courts of First Instance, The Higher Court of Appeal and The Court of Cassation. All cases to be first tried in Court of First Instance in the appropriate division, and there are three ways in which a court judgment may be appealed – to the higher court of appeal, by cassation which to be by requesting rehearing.

Advisers or Advocates

Lawyers can either represent or advise people with their cases or situations. Therefore, they can both be advocates and advisors to those in need of specialists in certain fields where law applies. When lawyers advise, they should ensure that the client knows every right they have and obligations they are required to do as a citizen of the country to understand the courses of action even more.

Even if a lawyer is defending a client's rights, the laws must still be upheld.

In light of this, it is not indeed easy to be a lawyer, which means that it is not easy to deal things on your own. For your affairs in the Kuwait, our lawyers who are available to take care of your situation and make sure that you are aware of what you need to know and do.



Why Choosing Us

Our team works carefully, hand - picked from legal practitioners across the globe who strive to provide the best level of service with capability and high efficiency.

Featuring members of our office, known for their integrity and diligence, hard work and the ability to assess the situation and provide legal services efficiently and quickly and coupled with our ability to find innovative solutions to any scenario. We have the ability and methodology to provide services within the framework in all legal aspects.

We are the innovative lawyers. We observe understand the changes and we modify ourselves according to it as we know that innovation brings time and cost effective solutions to you.



Our Mission

To serves, our clients by helping them to achieve greater business outcomes throughout providing them with the best services to enable them to resolve any legal challenges or disagreements as if we represent ourselves in timely manner, transparency, integrity , efficiency and quality of service.

Our Vision

Our vision is to provide our clients with skilled legal advice in a timely and efficient manner. We strive to handle each matter with accountability and responsiveness, as if we were representing ourselves. We focus our attention on the legal aspects of our client's business. Our vision reflects our values: integrity, service, excellence and teamwork.

Our Team

Our office comprises elite of advocates and legal advisors with long experience and high efficiency who are competent in various legal areas; that is in addition to an administration and management staff with high efficiency and experience. All that allows our firm to render the best legal services for our valuable customers.



Kuwait Constitution Article 29: Religion, Equality and Freedom

"All people are equal in human dignity and in public rights and duties before the law, without distinction to race, origin, language, or religion".



We are Advocates & Legal Consultancy firm with trusted good reputation, and committed to deliver sound judgment to our clients on their most difficult and important matters. Our practice areas are family law, corporate & commercial, banking, maritime & transport, labor, litigation & arbitration, real estate including copyrights issues. We are committed to delivered the highest level of personalized and confidentiality of our clients.



Why are our legal opinions important?

The legal professionals of the firm have long experiences that qualify them to give legal opinions to all clients and find out the most desirable solutions for their different problems.

Providing the client with the right legal opinion will enable the client to take the right decision in the manner that best serves his interests as whether to institute a suit or rather negotiate the matter and settle it with the other party when the evidences at his hand are not sufficient to yield at court.

It is also obvious that the right legal opinion will guard the client against committing a mistake or taking a hasty decision and will supply him with clear insight to act in accordance with the provisions of the law, hence, keep away from anything impermissible.

Experience You Can Trust

United Attorney for Legal Services & Consultation is extreme devoted legal firm in Kuwait servicing national, international, multinational companies including individual with the greatest add value according to the slandered of honesty and responsibility and the highest degrees of professionalism an commitments and providing a wide range of legal services such as but not limited to :

Civil Cases

This includes all types of civil cases arising from transactions and civil contracts plead and defend them in front of all the different degrees and types of courts of the State of Kuwait.

Engineering and Construction Companies

All types of construction companies cases for the implementation of the contracts and editing of all types of construction contracts. We are providing legal advice in this regard.

Criminal Cases

Defense and pleadings in criminal cases in front of all criminal courts. The presence of the investigations before the Public Prosecutor.

Intellectual Property and Trademark Registration

We have the experience to provide our clients with a wide range of services and providing all services and consulting for the registration of trademarks and intellectual property rights. Mr. Saud al-Humaidan is Ex. Vice president of Intelligent Property Center at Kuwait Bar Association.

Commercial and Maritime Cases

Includes all cases and legal business of both commercial and marine companies. Cases related to marine accidents and writing contracts on behalf of all parties. Lawsuits related to maritime accidents and incidents of ships. Marine claims for maritime transport, unloading, shipment, delivery of goods, the contracts of maritime labor, and marine lease based on all shipping laws and international treaties.

Administrative Claims

We have a team of the best legal consultants in terms of the legal rules organizing the activity of the executive authority and its management of public utilities and exploitation of public funds.



Family Cases

Providing a full range of special services for the law of family and personal status, and all claims related to it.

Labor Law & Laws Related to Pensions

Defense and pleading in labor lawsuits for individuals and companies, and all the cases related to labor law.

Financial Claims, Debt Collection & Bankruptcy

Financial litigation will involves civil, criminal, and/or administrative claims and investigations against entities and individuals, which concern money and financial transactions, including banks (both commercial and investment). We also practice in all areas of bankruptcy & insolvency.

Conciliation & Arbitration

We are experts in all provisions of alternative dispute resolution (ADR) including arbitration laws and international rules on reconciliation and arbitration, starting from contract drafting stage to conflict resolution. We have a long experience in arbitration and its procedures and the enforcement of arbitral decision, as we have been involved in many arbitration cases.

Environmental Cases

Offers advice on all aspects of environmental law, as well as environmental claims, dispute and cases.

Administrative Claims

We have a team of the best legal consultants in terms of the legal rules organizing the activity of the executive authority and its management of public utilities and exploitation of public funds.



Tenancy Lawsuits

We are specialized in all aspects of the tenancy law whether for residential, commercial, industrial or other purposes.

Healthcare & Malpractice Lawsuits

Healthcare sector disputes extend to compensation arising from medical errors, allegations of fraud and embezzlement. Our lawyers understand these market demands and assist healthcare providers to create business and legal value in all types of situations, regulatory and litigation..

Insurance

Lawsuits related to risks compromising safety of individuals and funds properties, incomes, occupational injury, and individual injury, medical Negligence, responsibility of employees, employer's responsibility as well as demands resulting from occupational accidents.

Providing Legal Consultations

We provide various legal consultations to our clients, where we have the elite of the legal consultants.

Oil and Gas

Our lawyers are experience and have a broad outlook in the sectoral legal aspects of a project from inception to completion, including all the legal sectors related to the oil & gas sector.

Creation/Drafting of Legal Contracts

We are specialized in creating and drafting the commercial and private contracts, in a manner that will ensure avoiding any legal issues in the future.

Starting Business in Kuwait



Start a business in Kuwait and tap into one of the Gulf region's most promising markets. With Growing consumer demand, and supportive government policies, Kuwait is a powerful hub for both local and foreign entrepreneurs.

The basic premise for carrying out business in Kuwait is identified in the Articles (23) and (24) of the Kuwaiti Commercial Code. Article (23) of the Code states that non-Kuwaiti citizens may not pursue any commercial activities in Kuwait, unless having a Kuwaiti partner. This partner's share must not be less than (51%). Article (24) sets forth that any foreign company may not establish a branch in Kuwait and cannot pursue its commercial activities in Kuwait unless having a Kuwaiti agent.

On April 22, 2001, Kuwait's Parliament enacted Law No. (8) On Regulating Foreign Capital Direct Investment in Kuwait, in an attempt to lure foreign investments. By allowing foreign ownership up to (100%) of business entities in certain sectors, this Law draws an exception to the general rules governing doing business in Kuwait by foreign investors.

A foreign person or entity may enter the Kuwaiti market and conduct business in the following ways:

- **Establishment of a company;**
- **Entering into a joint venture agreement;**
- **Appointment of a local commercial agent; or**
- **Appointment of a commercial representative.**

Legal Consultation – Benefits You



Are you looking for a good business lawyer who could assist you in almost every aspect of your business, from basic compliance and copyright and trademark advice to formal business incorporation and lawsuits and liability?

Legal Consultation is a very important step before going further. It helps the Clients in many ways e.g. it provides the real idea, it provides a legal solution, it provides the case study, it provides the legal knowledge. It tells you about the Course of Action Required, it tells you about the Chances of Success, and it tells you about the outcome. A Legal Consultation Session, with our experienced legal consultant, makes it quite easier for you to understand where you stand and what would be the probable outcome.

Sometimes Companies, and Individuals, who are not willing to understand the reality of the situation, proceed without getting expert help, which leads them towards the ultimate loss.

United Attorney offer free consultations for a wide range of legal cases, meaning that the help of our legal professionals is only a phone call away. Get in touch now and we can put you on the path of ensuring the best possible outcomes and a happier, more stable future for you, your family, or your business

Medical Malpractice & Legal Issues



The business issues in Hospitals, Clinic, laboratory & Pharmacist face extraordinarily complexity situations. Administrators must balance the needs of patients, clients, contractors, suppliers including staff with the growing uncertainty that results from the increased demand for medical care. Hospitals are dependent on Medicare and Medicaid financing, which leads to disputes involving reimbursement for services rendered and interpretation of state and Ministry of Health regulations. The negotiation, high cost of malpractice insurance and enforcement of managed care contracts demand knowledge of the cost of services, as well as state law, Ministry of Health regulation, insurance, managed care and healthcare contracting. Also professional and institutional licensure and accreditation bodies.

Our team understand such business aspects of physician practices, including preparation of physician employment agreements, compensation plans, and commercial disputes.



Handling Contractor Dispute with Subcontractors



In construction projects, the owner of the project will typically sign a contract with the general contractor, and the general contractor will subcontract the work to plumbing, HVAC, roofing, carpentry, electrical or other special trade contractors. Regardless of whether a contract is between an owner and a contractor or between two contractors, if one party fails to uphold its end of the agreement, the other party may be eligible to recover damages. Some contracts include a provision for alternate dispute resolution.

Both Contractors and subcontractors in general are often vulnerable to claims that could have been avoided through more accurate bids, enforceable contracts, and following up by documenting, recording and confirming

Our Team can a review your contract and determine whether it requires the construction dispute to be mediated or arbitrated from bidding to the signing of a contract to the completion of a project, each phase of a construction project carries the possibility that legal issues will arise.

We pay attention to the details that can help contractors and subcontractors avoid legal pitfalls like construction defect claims, licensure issues and other project disputes.

What Is Arbitration



Kuwaiti litigation process is both expensive and time-consuming. That is why many companies who find themselves in a legal dispute will face the possibility of arbitration.

Arbitration is an alternative dispute resolution method where parties agree to resolve their disputes outside of traditional court system, often resulting in faster and more cost-effective outcomes.

Additionally, arbitration keeps disputes confidential. This is helpful for individuals who would like to keep their private affairs under wraps. For example, shareholders may want to settle a dispute privately through arbitration because filing it in the U.S. court system could publicize the dispute, potentially affecting stock values.

Article 173 of the Kuwaiti Procedures Law: *confers on the parties the power to submit their dispute to any arbitral procedure if the contracting parties agree to it in writing. If parties fail to express in their contract their choice of any other system of arbitration, the Judicial Arbitration Law shall apply by default and the contracting parties will be subject to the jurisdiction of the arbitration board of the Court of Appeal.* United Attorney Team have been involved in several arbitration cases including the enforcement of arbitral decision issues.

You're Right to Remain Silent



The right to silence is a legal principle, which guarantees any individual the right to refuse to answer questions from law enforcement officers or court officials. It is a legal right recognized, explicitly or by convention, in many of the world's legal systems.

This right may help a person avoid making self-incriminating statements. It may also include the condition that unfavorable comments or inferences cannot be made by the tribunal because the defendant refused to answer questions before or during a court trial.

As per Kuwaiti law Article 158 it is the right individual to remain silent or refuse to answer questions during a police interrogation, and throughout a temporary period of custody. However, it is important to know the right of the court to draw adverse inference applies to police

There are some instances where remaining silent may look unfavorably upon a suspect. For example, if a person is silent before being placed under arrest, it may be inferred that he or she is guilty because there are no declarations of innocence. One way to combat this is to tell the police officer that your attorney advised you to stay silent should you ever be accused of committing a crime. Attributing your silence to your attorney's advice looks less suspicious.

Legal Document Drafting Services



Legal drafting is important because the process helps to make sure that your legal documents are formatted correctly, that all parties who are involved in the document are happy with the details of it, that jargon is explained, and that everything you will be presenting to the court or another presiding body is laid out, as it should be.

A legal document should explain its purpose, be amenable to all parties, and be drafted in such a way that it is legally binding and acceptable in the eyes of a court.

An error in a legal draft, however small, can severely affect the meaning of that document and have long-term consequences, especially if it's a legal document that is signed and executed and that all parties must abide by moving forward. A well-constructed document can make a big difference by helping an attorney win cases in court or preventing lengthy mediations in the workplace over an employment contract dispute.

Our legal document drafting services at United Attorney Firm, expand from creating agreements and court-specific documents from scratch, editing to proof-reading and copyediting pre-drafted documents. Our team of experts can also analyze the clauses of agreements and court documents and redraft them to ensure that they have the same meaning when applied in a different jurisdiction. **If you looking for legal drafting services you can contact us for further consultation legal.**

The Environmental Protection Law



Environmental Protection Law No 42 of 2014, and its modification by law number (99) for year 2015 contains 181 legal articles, all of which concern the environment and combating pollution aims at: protecting and maintaining the natural balance of the environment and its resources; combating the pollution and its damages, at both short and long term; banning any party whatsoever, whether a company or institution or consultation office from carrying out any work in this field without prior consent of the EPA; obliging all firm owners in the country to implement all the engineering and environmental requirements set by the EPA; planning programs for economic, agricultural, industrial, touristic and urban development to improve the level of livelihoods; guaranteeing a sustainable development and preserving the biodiversity; protecting the health of human beings and other organisms; and protecting the environment from the dangerous effects from neighboring countries.

The Environmental law included (157) penalties. The penalties range from: a fine of 50 dinars to one million Kuwaiti dinars, imprisonment from 24 hours to life imprisonment, including the death penalty. In addition to civil liability and compensation.

All companies are required to be engaged in activities that protect the Environment, Safety & health of humans and animals and sustainable development.

Our environmental lawyer has authored a number of Environmental books, and worked with a range of companies on the subject.



At the Intellectual Property Training Center for the Gulf Cooperation Council – with intellectual property officials of United States of America and French Republic.



Honorable Justice Dr. Jamal Al-Sumaiti
Dubai Judicial Institute Director General



Mr. Saud M. Al-Humaidan

Holds a, Master, Bachelor of Laws, Bachelor of Mechanical Engineering, and Diploma in Risk Management.

- **Registered and licensed attorney/advocate at the Kuwaiti courts before Constitutional, Cassation, Appel, and First Instant Courts.**
- **Ex-Board Member of Kuwait Engineering Society.**
- **Board of Directors Member of the Kuwait Institute for Law and Legal Studies @ Kuwait Law Society (K.L.S)**
- **Certified Local & International Professional Arbitrator**
- **Ex- Senior Specialist Management @ Kuwait Oil Company.**
- **Publish numerous Law books.**
- **Authentic Lecturer in Kuwait & Gulf States.**
- **Participant in many local and international conferences and seminars working on enriching legal& risk management culture.**
- **Vice chairman of the Center of Legal aid at (K.L.S)**
- **Ex -Vice chairman of Intellectual Property Center at K.B.A**
- **Guest of several talk shows in both radio and television.**



Conference Abstract

The contract is defined as an agreement made between parties, which is legally binding and they are free to make their own terms in theory. Contracts are commonly divided into two main categories: Civil law contract, and Administration Law contract. Civil law as known is the law governing the relations between private persons or organizations, which is different from Administration Law particularly in administrative contract system. The administrative law is the body of law that governs the activities of administrative agencies of government, agency action, rulemaking, adjudication, or the enforcement of a specific regulatory agenda. The current G.C.C administrative contract system legislation is not commensurate with the rapid development and expansion of contracts taking place in the Gulf Area. Generally, the contract terms must safeguard, and protect the interests of both parties in a contract. Unfortunately, the current G.C.C administrative contractual legislations considered unfair in many areas.

Delay in the Government projects can represent a costly occurrence for any organization. Nevertheless, delays can happen for various reasons and sometime these causes are beyond the contractor control. Unfortunately, Government has the right to deducted dues from the contractor such as "delay fine" without clarification, handing delay fine notice, valid justification, or even providing judicial ruling before presuming deduction. In the other hand the French law, required a justify delay fine notice with clarification and a reasonable elaboration time given to the contractor before presuming any fine deductions to ensure contracts fairness.

Yet, such project delays may be due to unforeseen event occurring beyond the contractor control and effect his performance impracticable as Unexpected Exceptional Circumstance or Force Majeure. The contractors in such situation are usually relieves from performing full/part of their contractual obligations. Nevertheless, G.C.C Courts tend to interpret unforeseen event clauses narrowly; and only if the events are listed and similar to those listed and covered in the subject clauses. Furthermore, unforeseen event condition terms and circumstances in G.C.C legislation are very vague including their impact on delay fine implementation. Whoever, to overcome the problems arise from such contracts FIDIC contracts should be consider strongly due to its fundamental principles of contractual fairness to both parties.

Mr. Saud Al-Humaidan



Lawyer / Saud Al-Humaidan presented a working paper at the Gulf Conference on Sustainable Legal and Financial Legislation. Held under the theme ‘Government and FIDIC Contracts’, title **“Contractual Delay Penalties Clauses between the Theory of Emergency Conditions and Force Majeure”**. The conference featured professional paper presentations, Laws related to the GCC countries, panel discussions, lectures, and case study discussions.



Lawyer / Saud Al-Humaidan also presented another working paper at the Gulf Conference on Sustainable Legal and Financial Legislation. Held under the theme ‘Government and FIDIC Contracts’ title **“Arbitration Disputes in Construction Contracts”**. The conference featured professional paper presentations, panel discussions, lectures, and case study discussions.



Your Civil & Commercial Rights Are in A Safe Hands

Lawyers That Protect Your Rights

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