ARTICLE: 1

Each Public Budget shall include all the revenue estimated to be collected and all the expenditures estimated to be expended during the fiscal year.

ARTICLE: 2

The Minister of Finance shall determine the form of the State Ministries and Departments (SMDS) Budget as well as the form of the Budget of Authorities practicing distinguished activity even if they are not independent body corporate having budgets supplemented to the Budget of the (SDS).

The Minister shall also determine the form of the budget of each of the Public Authorities or Establishments having an independent body corporate in accordance with the
recommendations of the Ministry of Finance, which suit the nature of their activities.

Modern trends in the public budget and the requirements of the socio-economic development plans shall be observed in the determination of the form of the Public Budgets, their sections and contents.

ARTICLE: 3

The Budget of the (SMDS) and its supplementary budget as well as the budget of Public Authorities and Establishments having an independent body corporate shall be annual budgets. The fiscal year shall begin on the 1st of April of each year and shall end on the 31st of March the following year without prejudice to the provisions of the law incorporating the public department, Authority or Establishment with regard to the determination of another date for the beginning and the ending of the fiscal year.
ARTICLE: 4

A high committee for the Budget shall be formed by virtue of an resolution of the Minister of Finance who shall preside over the committee for the discussion and determination of the general framework of the draft budget provided that the Civil Service Commission and the Ministry of Planning shall be represented in the committee with the agreement of the competent Minister.

*دالة (4)*

تشكل قرار من وزير المالية لجنة على الميزانية برئاسة لمناقشة وتحديد الإطار العام لمشروع الميزانية على أن يمثل فيها ديوان الخدمة المدنية وزيرة التخطيط بالاتفاق مع الوزير المختص.

* تم تعديل مسمى ديوان الموظفين إلى ديوان الخدمة المدنية بموجب القانون رقم (67) لسنة 1996 بتاريخ 8 أكتوبر 1996م. /*
CHAPTER TWO: BUDGET OF STATE MINISTRIES AND DEPARTMENTS

PART ONE: PREPARATION OF BUDGET

SECTION ONE: ESTIMATION OF REVENUES

ARTICLE: 5

The Authorities included in the Budget of the (SMD) shall prepare the preliminary estimates of the revenues in accordance with the instructions issued by the Minister of Finance; and such estimates shall be notified to the Ministry of Finance on the date specified by the latter therefore.

Should any Authority defer the submission of its draft estimate of the revenues beyond the specified date, the Ministry of Finance itself shall estimate such revenues on the basis of the revenues realized during the last fiscal years provided that the conditions and variables affecting such estimation shall be observed.

ARTICLE: 6

إنهاء الإجراءات المحققة خلال السنوات المالية الأخيرة مع مراعاة الظروف والمتغيرات التي تؤثر في هذا التقدير.
The Ministry of Finance shall discuss the preliminary estimates of the revenues referred to in the preceding Article and shall prepare the final estimates of the revenues.

**ARTICLE: 7**

The estimate shall include all the revenues distributed to its various Chapters but as regards the expenses for collection, they shall be included in the estimates of the expenditures.

**ARTICLE: 8**

A certain percentage of the total estimates revenues shall be fixed and added to the Posterity Reserve. The net of the revenues resulting from the investment of such Reserve as well as the revenues of their funds invested after the deduction of the percentage prescribed to be added to the Posterity Reserve, shall be added to the General Reserve Fund.
SECTION TWO: ESTIMATES
OF EXPENDITURES

ARTICLE: 9

The Authorities included in the Budget of the (SMDS) shall prepare an estimate of their expenditures and submit it to the Ministry of Finance on the date specified therefor by the aid Ministry. This estimate shall show the distribution of the expenditures to its various chapters in accordance with the instructions issued by the Minister of Finance.

A copy of the estimates of the Authorities referred to shall be dispatched by the Ministry of Finance to the Ministry of Planning and the Civil Service Commission in order that each, within the limits of its jurisdiction, shall consider the technical aspect thereof.

ARTICLE: 10

The Ministry of Planning and the Civil Service Commission shall advise the Ministry of Finance of the results of their technical consideration and comments, with the dates specified therefore by the latter Ministry.
ARTICLE: 11

Should any of the Authorities defer the submission of its estimates or the results of its technical consideration and comments beyond the date specified therefor, the Ministry of Finance itself following the notification of the competent Authority shall assume the estimation of the expenditures on the basis of the current fiscal year provided that the amendments made thereto during the fiscal year shall be observe and the other considerations on the basis of which the estimation of the expenditures is made shall be taken into account.

ARTICLE: 12

The Ministry of Finance shall consider to estimates of the expenditures on the basis of the technical considerations and comments related thereto and shall prepare the final estimates of the expenditures.

(11) مادة

إذا تأخرت أية جهة في تقديم تقديراتها أو نتائج دراستها الفنية وملابساتها عن الموعد المحدد تولت وزارة المالية بنفسها، بعد إخطار الجهة المختصبة، تقدير المصرفات إهداء بميزانية السنة المالية الجارية، مع مراعاة التعديلات التي تكون قد أدخلت عليها خلال السنة المالية والأخذا بالإعتبارات الأخرى التي يرأس عليها تقدير المصرفات.

(12) مادة

تبحث وزارة المالية تقديرات المصرفات على أساس الدراسات الفنية والملاحظات المتعلقة بها وتعد التقديرات النهائية للمصرفات.
PART TWO: AUTHORIZING THE BUDGET AND PROMULGATION OF LAW SANCTIONING IT

ARTICLE: 13

The Minister of Finance shall prepare the Draft Budget as well as a statement containing a general presentation of the bases on which the draft was built and an analysis of its object.

ARTICLE: 14

The Minister of Finance shall present the Draft Budget accompanied by the statement to the council of Ministers for approval. Such approval shall be made within a time that permits the submission of the draft to the Legislative Authority within at least two months prior to the end of the current fiscal year.

ARTICLE: 15

The Minister of Finance shall notify the concerned Authorities of the Budget Law following its promulgation,
to put it into effect.

ARTICLE: 16

Should the Budget Law not be promulgated before the beginning of the fiscal year, the preceding Budget shall be applied until its promulgation, and a Circular shall be passed by the Minister of Finance to that effect.

Should some of the Chapters of the new Budget be approved by the Legislative Authority, however, such Chapters shall be put into effect.

PART THREE:
IMPLEMENTATION OF THE
BUDGET
AND CONTROL

SECTION: ONE

ARTICLE: 17

The Minister of Finance shall issue the Circulars pertaining to the implementation of the Budget in such a manner that would ensure the conformity of such implementation with the Provisions of the Law and the Regulations, and shall notify the concerned Authorities of these Circulars simultaneously upon their notification of the Budget.
ARTICLE: 18

The settlement of financial transactions between the various Government Authorities shall be made as may be specified by the Minister of Finance.

ARTICLE: 19

Revenues obtained by (SMDS) shall be paid to the Ministry of Finance in accordance with the Rules prescribed by this Ministry.

ARTICLE: 20

The existence of an appropriation in the Budget shall not relieve any Authority from compliance with the Provisions of the Law, Regulations and Resolutions in force with regard to the use of such appropriation or the implementation of the Circulars attached to the Budget Law or contained in its schedules.

ARTICLE: 21

No Authority may exceed the appropriation of any of the Chapters of Expenditures except
by virtue of a Law.

**ARTICLE: 22**

No Authority may exceed an appropriation specified to any of the expenditures, however, transfer may be effected from a probable surplus in an appropriation to the appropriation of another expenditure of the same Chapter and Section, and the Minister of Finance shall specify the situations and conditions of the transfer.

**ARTICLE: 23**

No Authority may request the opening of additional appropriations except where there are urgent considerations necessitating such opening.

The Authority requesting the additional appropriation must notify the Ministry of Finance of the reasons justification and should the Ministry agree to open the requested additional appropriation, the Minister of Finance shall present the necessary draft Law to the Council of Ministers.

**ARabic Article 22 (Madda 20)**

لا يعفي وجود إعتماد في الميزانية من الالتزام بأحكام القوانين واللوائح والقرارات المعول بها ، فيما يتعلق باستخدام ذلك الإعتماد أو بتنفيذ التعديلات المرفقة بقانون الميزانية ، أو الوردة بجداولها.

**ARabic Article 23 (Madda 21)**

لا يجوز لأية جهة تجاوز إعتماد باب من أبواب المصروفات إلا بقانون.

**ARabic Article 22 (Madda 22)**

لا يجوز لأية جهة تجاوز إعتماد محدد لأي مصرف من المصروفات ، ويجوز النقل من الوفر المحتمل في
ARTICLE: 24

No Authority may exceed the appropriation of any of the construction projects which is allocated thereto for more than one year by virtue of a credit Law except where a surplus is estimated to exist in the annual appropriation for another project. Agreement must be reached with the Ministry of Planning in conformity with the Circulars issued by the Minister of Finance and provided that such excess shall not result in the increase of the over all costs of the project.

ARTICLE: 25

No Authority may increase the over all cost of any projects except where a surplus is estimated to exist in the over all costs of another project in the same Chapter and agreement shall be reached with the Ministry of Planning in conformity with the Circulars issued by the Ministry of Finance.

ARTICLE: 26
No Authority may conclude a contract that may result in a financial obligation that would exceed the fiscal year to a following fiscal year unless the law provides for the allocation of an appropriation for this purpose for more than one fiscal year.

However, contracts may be concluded for employment, rent, maintenance and periodic supplies for more than one fiscal year provided that such contractual act shall not result in increasing the appropriations of the Budget in the following years, and provided that the contractual period shall not exceed three years and should it be in excess an advance permission of the Minister of Finance must be obtained.

ARTICLE: 27

Appropriation of the Budget shall be used for settlement of lawfully obligations due and payments may not be made in advance to the account of work not performed or against purchases not received except within the limits of 20% of their value an approval of the competent Minister should be secured. Such percentage may be exceeded by permission of
ARTICLE: 28

Only amounts actually obtained or expended during this fiscal year shall be considered within the revenues or expenditures of the fiscal year.

Any amounts falling due for any work actually performed or for any supplies duly delivered within the fiscal year shall be considered as expenditure even if the payment procedures of such dues were not completed for any reason before the end of the fiscal year. The settlement of such amounts shall be made in conformity with the conditions and situations specified by the Minister of Finance.

ARTICLE: 29

Should any of the construction projects not be handed over as estimated therefor within the fiscal year, the settlement of the dues pertaining to this work and within the limits of the over all costs designated for the project in the Budget of the fiscal year may be made by virtue of an advance permission and in accordance with the
conditions and situations specified by the Minister of Finance.

**ARTICLE: 30**

Without prejudice to the provisions of Articles 28 and 29 any appropriation not paid or decided to be paid during the fiscal year appropriated to be spent in shall be null.

**SECTION TWO: ACCOUNTS AND ACCOUNTING CONTROL**

**ARTICLE: 31**

The Ministry of Finance shall determine the form of the necessary registers and papers for the financial transactions and the Minister of Finance shall specify the conditions and positions to be adopted in payment, receipts and the other accounting procedures and shall also organize the methods of auditing and reviewing the general accounts.

**ARTICLE: 32**

The various Authorities shall keep the registers and papers referred to in the preceding Article. The Minister or the Head of the Authority shall be
competent with authorizing the payment orders and he may authorize who ever undertakes such authorization provided that he should not be among those who are carrying out the accounting works.

**ARTICLE: 33**

Financial Controllers and Heads of Account shall be appointed in the various (SMDS).

**ARTICLE: 34**

The responsibilities and titles of the Financial Controllers and Heads of Account shall be specified by virtue of a Resolution of the Council of Ministers in accordance with the recommendation of the Minister of Finance.

**ARTICLE: 35**

Each Authority shall submit monthly and quarterly accounts in respect of the revenues, expenditures and other accounts to the Ministry of Finance in conformity with the Chapters of the Budget and in accordance with the Circulars issued by this Ministry and on the dates specified therefor.

Such accounts shall be signed by

لأي سبب من الأسباب. وتتم تسويته هذه المبالغ وفقًا للشروط والأوضاع التي يحددها وزير المالية.

**مادة (29)**

إذا لم يتم تسليم أحد المشاريع الإنشائية الذي كان مقرراً تسليمه خلال السنة المالية ببند سابق وللاشتراك بالأوضاع التي يحددها وزير المالية تسوية الإستحقاقات الخاصة بهذا العمل وذلك في حدود التكاليف الكلية المقررة للمشروع في ميزانية السنة المالية.

**مادة (30)**

يُبطل العمل بكل إعتماد لم يصرف أو لم يُقرر صرفه خلال السنة المالية التي ربط للصرف فيها.
the Head of the competent Authority or his Deputy, the Finance Controller and the chief Accounts.

**ARTICLE: 36**

The Minister of Finance shall determine the systems and methods of work as well as the responsibilities of the various storage operations in so-far-as the management, organization, supply distribution, disposal and control on the various levels and the design of storage places and stock layout. He shall also specify all the records and papers used in such operations.

**PART FOUR: CLOSING ACCOUNT**

**ARTICLE: 37**

The Minister of Finance shall set the the detailed rules to be followed in preparing the closing Accounts and shall specify the dates pertaining thereto.

**ARTICLE: 38**

Each Government Authority shall prepare its closing Account
for the preceding fiscal year and submit it to the Ministry of Finance on the dates specified therefor.

Such Account shall be signed by the Minister, Authority Head or the Deputy appointed by either of them and by the Financial Controller and the chief Accounts.

**ARTICLE: 39**

The Minister of Finance shall prepare the Closing Account of the Financial Administration of the State as well as a report on such Account that would reflect the actual financial position for the preceding fiscal year. The Closing Account and the report shall be presented to the Council of Ministers and to be submitted then to the Legislative Authority within the period provided for in the Constitution for consideration and promulgation of the Law pertaining to its sanction.

**ARTICLE: 40**

The result of the Closing Account for the fiscal year shall be posted to the General Reserve Fund or carried
ARTICLE: 41
A copy of the monthly and quarterly accounts provided for in Article (35) shall be submitted by the various Authorities to the state Audit Bureau together with copies of their Closing Accounts provided for in Article (38). The Ministry of Finance shall also forward a copy of the Closing Account of the State’s Financial Administration together with the report pertaining thereto to the state Audit Bureau.

CHAPTER THREE:
PROVISIONS PERTAINING TO SUPPLEMENTARY AND INDEPENDENT BUDGETS

ARTICLE: 42
Provisions pertaining to the Budget of the (SMDS) shall apply to the supplementary budget with the exception of the Provision contained in Articles (8) and (40) of this Law. However, Authorities having supplementary budgets may
form allocations and reserves and may barrow from the Government in accordance with a special By-Law to be issued by the Minister of Finance.

**ARTICLE: 43**

Public Administrations, Authorities and Establishment of independent body corporate shall have their own accounts systems which shall be issued under the Order delivered by the Minister of Finance upon a proposal by their respective Board of Directors.

**ARTICLE: 44**

Public Administrations, Authorities and Establishments of independent body corporate shall prepare estimates of their revenues and expenditures. Such estimate shall be presented to the Minister of Finance for consideration and approval before their submission to the Council of Ministers within such a time that would permit their presentation to the Legislative Authority within at least two month prior to the end of the fiscal year.
ARTICLE: 45

Provisions of Articles (15) and (16) shall apply to the budgets of Public Administration, Authorities and Establishments of independent body corporate and such budget shall be implemented in accordance with their special systems without prejudice to the Provisions of Articles (20,21) and (26) pertaining to the implementation of the Budget of (SMDS).

ARTICLE: 46

The systems pertaining to Public Administrations, Authorities and Establishments of independent body corporate shall specify the form of the necessary registers and papers for the financial transactions, conditions and situations which are followed in payment and receipt as well as the other accounting procedures and methods of auditing and reviewing the accounts provision relevant to the stores.

مادة (40)

يرحل إلى المال الاحتياطي العام أو يحمل به ما يسفر عنه الحساب الختامي عن السنة المالية.

مادة (41)

تقدم مختلف الجهات إلى ديوان المحاسبة صورة من الحسابات
ARTICLE: 47

Each of the Public Administrations, Authorities or Establishments of independent body corporate entities shall submit quarterly reports on their work progress and the development of their financial position to the Minister of Finance including the data and information he may specify.

ARTICLE: 48

Each of the Public Administrations, Authorities or Establishments of independent body corporate entities shall prepare a Closing Account for the preceding fiscal year and an annual Balance Sheet on commercial basis if the respective activity of each necessitates same, and the Closing Account together with the Balance Sheet shall be submitted to the Minister of Finance on the dates he may specify.
ARTICLE: 49

The Minister of Finance shall present the Closing Accounts and Balance Sheets pertaining to the Public Administrations, Authorities and Establishments of independent body corporates to the Council of Ministers accompanied with reports by him showing the actual financial position of such Public Administrations, Authorities and Establishments within a period that would permit their presentation to the Legislative Authority during the period provided for in the Constitution, for their considerations and promulgation of the Law sanctioning the Closing Account.

ARTICLE: 50

The result of the Closing Account of each of the Public Administrations, Authorities or Establishments of independent body corporates shall be dealt with in accordance with the Provisions of its Budget Law.

(49) 

Be it enacted for the Public Administrations and the Agencies for the public administration and independent authority the audit and accounting system for a special account respectively and she shall be a report by the Minister of Finance to the Council of Ministers, accompanied by reports showing the actual financial position of such Public Administrations and Authorities and Establishments, in a period that would permit their presentation to the Legislative Authority during the period provided for in the Constitution, for their considerations and promulgation of the Law sanctioning the Closing Account.

(50) 

Treat the results of the Closing Account of each of the Public Administrations, Authorities or Establishments of independent body corporates in accordance with the provisions of its Budget Law.
ARTICLE: 51

Public administration, Authorities and Establishments of independent body corporate entities shall submit copies of their quarterly Reports, Closing Accounts and Balance Sheets to the Audit Bureau, and the Ministry of Finance and the Audit Bureau shall be provided with copies of the Reports of the Minister of Finance on the financial positions of such Public Administrations Authorities and Establishments.

ARTICLE: 51 (Bis)

The Minister of Finance Shall Appoint Financial Controllers and Chief Accountants in the Authorities with Independent Budgets, an Order Shall be Delivered by the Minister of Finance Specifying Their Fields of Competence.

ARTICLE: 52

The Council of Ministers may not be approached for the delivery of general resolutions.

مادة (45)

تسري أحكام المادتين 15، 16 بالنسبة لميزانيات الإدارات العامة والهيئات، المؤسسات العامة ذات الشخصية الاعتبارية المستقلة، كما تنفذ هذه الميزانيات وفقاً لنظمها الخاصة، مع عدم الإخلال بأحكام المواد 20، 21 الخاصة بتنفيذ ميزانية الوزارات والإدارات الحكومية.

مادة (46)
or Laws that may establish financial burdens on the Public Budget unless the opinion of the Ministry of Finance is sought.

**ARTICLE: 53**

Decree Law No. 1/1960 and all Provisions contradictory to this Law, are hereby superseded.

**ARTICLE: 54**

The Minister of Finance shall issue the necessary Resolutions for the implementation of this Law.

**ARTICLE: 55**

All the Ministers, each within his jurisdiction, shall implement this Law and it shall be published in the Official Gazette and put into effect as of July 1st, 1978.

**AMIR OF KUWAIT**

**JABER AL-AHMAD**

**PRIME MINISTER**

**SAAD AL-ABDULL AL-SABAH**

**MINISTER OF FINANCE**

**ABDUL RAHMAN SALEM AL-ATEEQI**

Issued At Al-Seif Palace on 10th Sha’ban 1938 A.D. corresponding to 15th July 1978 A.D.
DECREE LAW NO. 31/1978

SETTING OUT

THE RULES FOR THE
PREPARATION OF THE
PUBLIC BUDGET AND
FOR THE CONTROL OF
THEIR IMPLEMENTATION
AND THE CLOSING ACCOUNT.

Having perused the Amiri Order issued on 4th Ramadhan 1396 A.H. corresponding to 29th August 1976 A.D. for revision of the Constitution.

The Amiri Decree No. 1/1960 promulgating the law setting out the rules for the preparation of the Public Budget and for the control of its implementation and the Closing Account as amended by Law No. 4/1976.


مادة (48)

تعد كل إدارة عامة أو هيئة أو مؤسسة من الهيئات والمؤسسات العامة ذات الشخصية الإعتبارية المستقلة حساباً ختامياً عـن السنة المالية المنقضية ، كما تعد ميزانية عـومية سنوية على أساس تجارية إذا تطلب نشاطها ذلك وتقدم الحساب الختاميـي والميزانية العمومية إلى وزير المالية فـي المواعيد التي يحددها.
Law No. 30/1964 establishing the Audit Bureau as amended by Law No. 4/1977.

Law No. 106/1976 concerning the Posterity Reserve and, In accordance with the recommendation of the Minister of Finance and thereafter the approval of the Council of Ministers, We have issued the following Law:

باعرض وزير المالية الحسابات الختامية والميزانيةات العمومية الخاصة بالإجراءات العامة وبالهيئات والمؤسسات العامة ذات الشخصية الإعتبارية المستقلة على مجلس الوزراء مصحوبة بتقرير منه، توضـح حقيقة المركز المالي لهذه الإدارات العامة والهيئات والمتصـلات والمؤسسات وذلك في وقت يسمـح بالعرض على السلطة التشريعية خلال المدة المنصوص عليها في الدستور للنظر فيهاـا وإصدار القانون الخاص بإعتماد الحسابات الختامية.

مادة (50)

يتم التصرف فيما يسفر عنه الحساب الختامي لكل إدارة عامة أو هيئة أو مؤسسة من الهيئات والمؤسسات العامة ذات الشخصية الإعتبارية المستقلة. وفقـًا لما يقضي به قانون ميزانيتها.
مادة (51)

تقدم الإدارات العامة والهيئات المؤسسات العامة ذات الشخصية الاعتبارية المستقلة صورة من تقاريرها الربع سنوية وصورة من حساباتها الختامية وميزانياتها العمومية إلى ديوان المحاسبة وتوافقي وزارة المالية وديوان المحاسبة بصورة من تقارير وزير المالية عن المركز المالي لهذه الإدارات العامة والهيئات والمؤسسات العامة.

مادة (51) مكرر

يعين وزير المالية بالجهات ذات الميزانيات المستقلة مراقبين ماليين ورؤساء للحسابات، ويصدر قرار من وزير المالية بتحديد اختصاصاتهم.
باب الراي

أحكام ختامية

مادة (52)

لا يجوز التقدم إلى مجلس الوزراء لاستضافة قرارات عامة أو قوانين تربت أعباء مالية على الميزانيات العامة إلا بعد أخذ رأي وزارة المالية.

مادة (53)

يلغى المرسوم بالقانون رقم (1) لسنة 1960 وجميع الأحكام التي تتعارض مع هذا القانون.

مادة (54)

يصدر وزير المالية القرارات اللازمة لتنفيذ هذا القانون.

مادة (55)

على الوزراء - كل فيما يخصه - تنفيذ هذا القانون ونشر في الجريدة الرسمية ويعمل به اعتبارا من
أول يوليو سنة 1978.

 أمير الكويت
 جابر الأحمد

 رئيس مجلس الوزراء
 سعد العبدالله الصباح

 وزير المالية
 عبدالرحمن سالم العتيقي

 صدر بقصر السيف في: 10
 شعبان1398 هـ
 الموافق: 15 يوليو
 1978 م

 المرسوم بالقانون رقم "31 "سنة
 1978
 بقواعد إعداد الميزانيات العامة
 والرقابة على تنفيذها والحساب الختامي

 بعد الإطلاع على الأمر الأميري الصادر
 بتاريخ 4 من رمضان سنة 1396 هـ
 الموافق 29 من أغسطس سنة 1976م
 بتنقيح الدستور ، وعلى المرسوم
 الأميري رقم (1) لسنة 1960 بقانون
 قواعد إعداد الميزانية العامة والرقابة
 على تنفيذها والحساب الختامي ، المعدل
 بالقانون رقم (4) لسنة 1976 ،
 وعلى المرسوم الأميري رقم (10) لسنة
1960 بقانون ديوان الموظفين والقوانين المعدلة له،

وعلى القانون رقم (30) لسنة 1964 بانشاء ديوان المحاسبة المعدل بالقانون رقم (4) لسنة 1977،

وعلى القانون رقم (106) لسنة 1976 في شأن احتياطي الأجيال القادمة.

وبناء على عرض وزير المالية،

وبعد موافقة مجلس الوزراء،

أصدرنا القانون الآتي نصه: