

Constitution

/ Constitution

- As amended by the Amendments to the Constitution of the Kingdom of Bahrain 2012
- As amended by the Amendment to the Constitution of the Kingdom of Bahrain 2017
- As amended by the Amendments to the Constitution of the Kingdom of Bahrain 2018

CONSTITUTION OF THE KINGDOM OF BAHRAIN

In the Name of God, His Bounty and His Support, We, Hamad Bin Isa Al Khalifa, King of the Kingdom of Bahrain, having resolved, with certainty, faith and consciousness of our responsibilities toward our country, the nation and the international community, in cognizance of the rights of God, the country and the people, and in recognition of the humanitarian principles and responsibility;

Implementing the people's will which was unanimously expressed in agreement over the principles contained in our National Action Charter; and in realization of the task of amending the Constitution entrusted to us by our great people; and being desirous of completing the means of inducing democratic rule in our dear land; and in an effort to secure a better future whereby our country and its people would be blessed by welfare, progress, development, stability and well-being in the light of an active and constructive cooperation between the Government and the people and which will remove obstacle in the path of progress; and convinced that the future and the work for it is the guideline for us all in the coming phase; and with the knowledge that the realization of this goal will require endeavor; and seeking the Constitution as it stands.

This amendment has incorporated all lofty values and great humanitarian principles contained in the charter. This guarantees that the people of Bahrain launch themselves for a successful march towards a bright future, God willing! It will be a future for which all institutions and individuals will put their shoulders to the wheel. The authorities dedicate themselves to it, in its new mantle, to realize the hopes and aspirations in a reign of benevolence, declaring its adherence to the faith, code and path of Islam, in the context of its belonging Arab nations, and its momentous and fateful links with the GCC States, and its exertions to realize justice, goodness and peace for all mankind.

Whereas or Where the changes in the Constitution have emanated from the faith of the people of Bahrain with hoary past, that in Islam lies the welfare of the world and hereafter, it admits neither stagnation nor bigotry, Verily it maintains with total candor that the wisdom of the faithful lies in pursuing the goal wherever it is to be found, and that the Holy Qur'an does not extol immoderation in anything. 

In order to realize it, it was necessary to extend the limits of our vision to encompass the whole of the world, so that we could adopt from this treasure what benefited us, was good for our religion, our practices and our circumstances. We were convinced that the social instrument, which could be transferred from one place to another without changing its essence, was human intelligence, spirit and insight, subject to interaction and social circumstances.



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Thus came about these constitutional changes representing an advanced cultural concept for our precious country. It installed our political system as a constitutional monarchy based on consultation, which is the highest ideal for a country in Islam. People's participation in the exercise of authority in the basis of modern political thought whereby, the



responsible authority in his discerning judgment, selects a few experienced persons from among the citizens to

the two Councils will together achieve the people's aspirations represented in the National Council.

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There is no doubt that these constitutional changes reflect the common intents of the King and his people and will realize for everyone the lofty values and great human principles incorporated they deserve for their capacities and projections, in line rightful place in the comity of civilized nations.

This Constitution, which we have issued, incorporates the changes envisaged in the Charter thus complementing the unaltered provisions thereof. We have enclosed with it an explanatory Memorandum to act as a source of reference for the interpretation of its rules.

Chapter 1 : THE STATE

Article (1)

1. The Kingdom of Bahrain is an independent Arab Islamic Kingdom with full sovereignty. Its people are a part of the Arab Nation and its territory a part of the greater Arab entity. Its sovereignty will not be surrendered, nor any part of its territory.
2. The rule over the Kingdom of Bahrain will be a constitutional hereditary monarchy. The rule passed on from the Late Shaikh Isa Bin Salman Al Khalifa to his eldest son, Shaikh Hamad Bin Isa Al Khalifa hereafter shall pass on to his eldest son and so on in hereditary succession, unless the King appoints, during his life-time, a son other than the eldest son as his successor, according to the rules of succession outlined in the next article.
3. All rules of succession will be regulated under a Special Royal Decree, which will have force of the Constitution, and will not be altered except in accordance with the provisions of Article (120) of the Constitution.
4. The system of rule in the Kingdom of Bahrain will be democratic with sovereignty to the people who will be the source of all authority. Sovereignty will be excited as outlined in this Constitution.
5. All citizens. Men and women will have the right to participate in public affairs and will have political rights including the right to election and nomination, in accordance with this Constitution and the terms and conditions laid down by law. No citizen will be deprived of the right to be elected or nominated except for as provided in law.
6. This Constitution will not be altered except in part and in a manner as outlined in it.

Article (2)

The State religion will be Islam and the Islamic Shari'a will be the main source for legislation. The official state language will be Arabic.

Article (3)

The law will lay down the Flag details of the Kingdom, its motto, its ensigns, its medals and the National Anthem.

Chapter 2 : THE BASIC INGREDIENTS OF SOCIETY

Article (4)

Justice will be the basis of rule. Cooperation, compassion and trust between th social solidarity and equality of opportunity among the citizens will be the pilla State.



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Article (5)

1. The family is the base of society. Its mainstay will be religion, morality and patriotism. The law will protect its legal entity; strengthen its bonds values. Under its umbrella, it will protect maternity and childcare and

2. The rule over the Kingdom of Bahrain will be a constitutional hereditary monarchy. The rule passed on from the Late Shaikh Isa Bin Salman Al Khalifa to his eldest son, Shaikh Hamad Bin Isa Al Khalifa hereafter shall pass on to his eldest son and so on in hereditary succession, unless the King appoints, during his life-time, a son other than the eldest son as his successor, according to the rules of succession outlined in the next article.
3. The State will reconcile the duties and obligations of women towards their families and their work in the society; and ensure that they have equality with men politically, culturally and economically without prejudice to the rules of the Islamic Shari'a.
4. The State will guarantee the realization of social security needed by the citizens in cases of old age, sickness, incapacity for work, being orphaned or widowed or being unemployed. It will provide for them social insurance services and health care and work to provide protection against ignorance, fear and starvation.
5. Inheritance will be a guaranteed right as laid down in the Islamic Shari'a.

Article (6)

The State religion will be Islam and the Islamic Shari'a will be the main source for legislation. The official state language will be Arabic.

Article (7)

1. The State will promote the sciences, literature and the arts and encourage scientific research. It will guarantee educational and cultural services to the citizens. Education will be compulsory and free in early stages as laid down by law and in the manner described in it. The law will lay down the required plan for combating illiteracy.
2. The law will organize training in the various aspects of religious education and patriotism at different stages and grades. It will be aimed at strengthening the personality of the citizen and inculcating in him the pride of Arabism.
3. Individuals and institutions may establish private schools and universities under State supervision and according to regulations.
4. The State will guarantee to the educational institutions their sanctity.

Article (8)

1. Every citizen will have the right to health care. The State will be concerned with public health, and provide for the means of prevention and treatment by establishing various types of hospitals and health institutes.
2. Individuals and bodies may establish hospitals, dispensaries and treatment centers under State supervision as provided by law.

Article (9)

1. Ownership, capital and work, will be in accordance with the principles structure of the social entity of State and of national wealth will all be indivisible as laid down by law.
2. Public property will have sanctity and its protection will be binding on every citizen.
3. Private property will be protected. None may be prevented from dealing with his property for in law and in a manner as stated therein, on condition that a just compensation is paid to him for it.
4. A general confiscation of property is forbidden. The punishment of private confiscation will not be imposed



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without a court order under circumstances laid down in law.

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5. The law will systematize, based on economic principles and social justice, the relation between owners of real estates and properties and their tenants.
6. The State will endeavor to provide housing to citizens with low income.
7. The State will take measures as necessary for a productive exploitation of land, which is suitable for agriculture and which will raise the level of the farmer. The law will define the means by which the small farmers may be helped in owning land.
8. The State will take appropriate measures for protecting the environment and its flora and fauna.

Article (10)

1. The basis of national economy is social justice and its quintessence a just cooperation between public activity and private endeavor. Its goal is economic development according to a laid down plan, and the realization of welfare for the people within the framework of law.
2. The State will work toward achieving economic unity for the GCC States and the Arab League States and for all that promotes their getting together, their cooperation, solidarity and collaboration.

Article (11)

All natural wealth and resources are the property of the State. It will protect them and invest them fruitfully, taking into account the requirements of the security of the State and national economy.

Article (12)

The State will ensure social solidarity in coping with the burden of natural calamities and general disasters, and compensate war damage or any injury sustained in the course of performance of military duties.

Article (13)

1. Every citizen has the obligation to work in the interest of self- respect and public good. Every citizen has the right to work and choose the type of work in keeping with public order and decorum.
2. The State will provide opportunities for work to the citizens with just conditions.
3. No compulsory work will be imposed on anyone except under the circumstances laid down by law to meet a national need and that against an appropriate compensation or for enforcing a court order.
4. The law will regulate, on an economic basis, keeping in mind social justice, relations between labor and employers.

Article (14)

The State will encourage cooperation and saving and supervise the system of credit.



Article (15)

1. The taxes and public expenditure will be based on social justice.
2. Their payment is obligatory according to law.
3. The laws will public for the exemption of small incomes from paying taxes so that the minimum living expense is not violated.



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Article (16)

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1. Public offices are a national services entrusted to those who are appointed. The State officials, in the performance of their duties, will aim at public good. Foreigners will not be entrusted with public office except under the circumstances stated in law.
2. The citizens will enjoy equality in assuming public office in accordance with terms and conditions laid down in law.

Chapter 3 : RIGHTS AND PUBLIC OBLIGATIONS

Article (17)

1. Bahraini nationality will be defined by law and anyone enjoying it cannot be deprived of it except in case of high treason and other circumstances laid down by law.
2. A citizen will not be exiled from Bahrain nor can his return to it be prevented.

Article (18)

All are equal in human dignity and all citizens are equal before law in terms of duties and public responsibilities. In this matter, there will be no discrimination on the nationality, birth, language, religion of faith.

Article (19)

1. Personal freedom is guaranteed by law.
2. None will be arrested, detained, searched, confined to a residence or his freedom restricted except according to regulations or under judicial supervision.
3. Arrest or detention will not be carried out in places other than those prescribed for the same, as laid down in the Jail Regulations incorporating health and social care under the control of judicial authority. No person will be subjected to material or normal torture or inducement or any degrading treatment. The law will lay down the punishment for one who is guilty of it. This will also invalidate any statement or confession proved to have been obtained through torture, inducement, degrading treatment or threat.

Article (20)

1. There will be no offence or punishment except as provided for in law. There will be no punishment except for actions committed after the issuance of the law outlining the.
2. Personal penalties.
3. An accused will be considered innocent unless proved guilty in a legal trial, wherein he has been given the necessary guarantees for exercising the right of self-Defense at all stages of investigation and trial as per law.
4. It is forbidden to torture the accused physically or normally.
5. Everyone accused of any crime will have a lawyer to defend him with his pe
6. The right to litigation is guaranteed by law.



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Article (21)

Political refugees will not be surrendered.

Article (22)

Freedom of conscience will be absolute. The State shall guarantee the sanctity of places of worship, freedom to
the country.

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Article (23)

Freedom of opinion and scientific research are guaranteed. Everyone is free to express his opinion and publish it orally or in writing or in any other manner, according to terms and conditions laid down by law, provided it does not violate the fundamentals of the Islamic faith or the unity of the country and does not provoke sectarianism or communalism.

Article (24)

In compliance with the previous Article, freedom of press, printing and publishing is guaranteed according to the terms and conditions stated in the regulations.

Article (25)

Residence will have sanctity. They may not be entered or searched without the permission of the household except in cases of urgent necessity laid down by law in a manner described in it.

Article (26)

Freedom to use postal correspondence, telegraph and telephone is guaranteed as also their secrecy. Correspondence will not be censored or its secrets revealed except in cases stated in law and it will be according to the procedures and guarantees laid down in it.

Article (27)

Freedom to form societies and guilds on a patriotic basis for legal aims and peaceful means is guaranteed according to the terms and conditions laid down by law. However, they should not be prejudicial to religion and public order. No one shall be forced to join society or guild or to continue in the same.

Article (28)

1. People will have the right to private assembly without prior permission or notice. No member of Public Security will attend their private meetings.
2. Public meetings, processions and gathering are permissible as per terms and conditions laid down in law, provided their aims and means are peaceful, and do not violate public ethics.

Article (29)

Every individual may address the formal authorities in writing with his signature. Public authorities will not be addressed in the name of associations except in the case of corporal bodies or legal personalities.

Article (30)

1. Peace in the goal of the State and state security is a part of the security of the larger Arab homeland. Its defense is a sacred duty of every citizen and rendering military services is an honor to the citizens as organized under law.
2. The State alone can raise a defense force, a National Guard or public security except in dire necessity; to non-citizens and that will be under the circumstances.
3. Partial or total mobilization will be conducted as laid down in law



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Article (31)

Chapter 4 : POWERS GENERAL RULES

Article (32)

1. The system of rule will be based on the separation of legislative, executive and judicial authorities, and cooperation between them as per the rules of this Constitution. None of the three authorities will surrender their prerogatives laid down in this Constitution, in part or in whole, to anyone else. However, authorization of enactment of specific subject or subjects, for implementation according to the law authorization and its conditions.
2. The legislative authority shall vest in the King and he National Council according to the Constitution. The King shall assume executive authority along with the Council of Ministers and Ministers. Judicial verdicts will be issued in the name of the King, and all this will be according to the rules of the Constitution.

SECTION ONE : THE KING

Article (33)

1. The King is the Head of state and its Highest Representative. He enjoys absolute immunity, which cannot be impinged. He is the Faithful Defender of Faith and the Country, and the symbol of national integrity.
2. The King shall protect the legality of rule and the supremacy of the Constitution and law and preserve the rights of the people, the institutions and their freedom.
3. The King shall exercise his power both directly and through his ministers for jointly implementing the general policy of the Government and every Minister will be answerable for the functioning of his Ministry.
4. The King shall appoint the President of the Council of Ministers who can be absolved of his office by a Royal Decree. Similarly, he shall appoint Ministers and absolve them of office by a Royal Decree on the recommendation of the President of the Council of Ministers.
5. The Ministry may be reconstituted in the manner described before in this Article at the beginning of every legislative session of the two Councils.
6. The King will appoint members to the Shura Council and relieve them by a Royal Decree.
7. The King is the Supreme Commander of the Defense Force. He assumes its command and allots to it its national task with in the Kingdom and outside it. It has direct bonds with him and the necessary in its affairs will be observed.
8. The King will head the Supreme Council of the Judiciary and will appoint Judges by Royal Decree based on the recommendation of the Supreme Council of the Judiciary.
9. The King shall confer Honorary Insignia as per law.
10. The King will institute, confer and withdraw civil and military ranks and other honorary titles by Royal Decree or may authorize anyone else to do so.
11. Currency will be issued in the name of the King as per law.
12. The King, at the time of assuming the throne, at a special session of t following oath: *{ I swear by God Almighty that I shall honor the Constitut shall defend the liberties of the people, their interests and properties, ar country and the safety of its lands }.*
13. The Royal Court will be subordinate to the King and will be organized as provisioned and the rules of supervision over it will be laid down in a special royal Decree.



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Article (34)

1. The King shall, in the event of his being away from the country and the unfeasibility of the Crown Prince Royal Decree, such a Decree may lay down a special organization for the exercise of these powers on his behalf, or define its scope.
2. In the case of the Deputy of the King, terms and conditions as laid down in Article 48 (b) of this Constitution will apply. If such a Deputy were a Minister, Member of the Shura Council or of the Council of Deputies, then he will not participate in the proceedings of the Ministry or the Council for the period of deputization.
3. The Deputy King will, before exercising his power, take the oath as outlined in the previous Article with the addition of the phrase: (I will be sincere to the King.) This oath will be taken in the National Council if in session or in front of the King.
4. The Crown Prince will take this oath once of his deputization for the King were to recur many times.

Article (35)

1. The King will have the right to amend the Constitution and propose laws. He will have jurisdiction over approving and promulgating them.
2. The law will be considered to have been approved and issued by the King if six months have passed since it was raised to the King by the Shura Council and the Council for a review of it.
3. In keeping with the special laws relating to amending the Constitution, if the King returns the Draft Law to the Shura Council and the Council of Deputies under a regulation requiring a review of it, it will be stated if such a review is to be completed during the same session or the next.
4. If the Shura Council and the council of Deputies or the National Council, after its review, affirms the draft law by a two-thirds majority of their members, like King will certify it and issue it within a month of its affirmation for the second time.

Article (36)

1. An aggressive war is forbidden. A defensive war will be declared by a Decree and it will be placed before the National Council immediately after its announcement for a decision on its conduct.
2. A State of National Security or Martial Law will not be declared except by a Decree. Under all circumstances such a declaration shall not exceed a period of three months. It will not be extended except with the approval the National Council by a majority of the Members present.

Article (37)

The King will ratify Treaties through a Decree and inform the Shura Council and the Council of Deputies about them immediately along with a declaration as may be suitable. The Treaty will have the force of law after its approval and ratification and its publication in the Official Gazette. However , in the case of treaties of peace and alliance, treaties concerning the land of the State and its natural wealth, the rights of sovereignty or the general and private rights of citizens, treaties of trade, navigation and residence and treaties which impose upon the State Exchequer expenses which are not provided for in the budget or include changes in the laws of Bahrain, their promulgation will be by the issuance of a law. Under no circumstances will any treaty contain secret clauses contravening the openly declared conditions.



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Article (38)

Should any event occur between the sessions of the Shura Council and the Council of Deputies when the Council of Deputies stands dissolved, which does not admit of any delay in their respect which have the power of the law, provided they do not contravene the law, should be placed before the Shura Council and the Council of Deputies within a month of the date of their issue if they are in session, or within a month of the first meeting of the two new council in case of dissolution or the end of

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the legislative term. If it is not placed before them, it will lose its legal force and there is no need to issue a decision force.

عربي

Article (39)

1. The king will lay down through Decrees the necessary regulations for the promulgation of the laws in a manner, which do not contain changes in them or clauses disabling them or exempting their execution. it will be proper for the law to lay down the minimum instrument of a Decree for the issuance of the necessary regulations for its implementation.
2. The king will lay down through decrees regulations for imposing restraints and the necessary provisions for regulating interests and public administration, which do not violate laws.

Article (40)

The king shall appoint civil and military officials and political representatives in foreign state and world bodies and relieve them of their posts in accordance with terms conditions as laid down in law; even as he may accept representatives of states and foreign bodies with him.

Article (41)

The King may grant pardon for a punishment or reduce it, but a comprehensive pardon may not be granted except by law for miscellaneous offences before proposing a pardon.

Article (42)

"As amended by the Amendments to the Constitution of the Kingdom of Bahrain 2012"

1. The King will issue orders for the holding of elections for the Council of Deputies according to the provisions of law.
2. The King will invite the National Council to hold a session by a royal Decree and open the session and dissolve it according to the Constitution.
3. The King is entitled to dissolve the Council of Deputies by a Decree showing cause for the dissolution, after obtaining the opinions of the Chairman of the Shura Council, Council of Deputies, and Chairman of the Constitutional Court. The Council may not be dissolved for the same reasons more than once.

Article (43)

The King may hold a national referendum on laws and important issue concerning the country's interests. The subject of referendum will be considered to have been agreed to if the majority of the voters approve of it. The result of the referendum will be binding and enforceable from the date of its announcement. It will be published in the official gazette.

Chapter 2 : The Executive Authority The Council of Ministers The Ministers

Article (44)

The Council of Ministers will consist of the President of the Council of Ministers and



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Article (45)

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1. One who entrusted with a Ministry should be a Bahraini, should not be less have full political and civil rights. in the case of the President of the Council shall apply as long as there is no text contrary to these provisions.
2. The law will fix salaries of President of the Council of Ministers and the Ministers.

Article (46)

The President of the Council of ministers and the ministers will take the oath of office in front of the king in terms contained in Article (78) of this constitutions.

The Prime Minister shall submit the Government's program to the Council of Deputies within thirty days after taking the constitutional oath of office, or during the Council's first meeting, if absent. If the Council fails to ratify this program within 30 days by majority vote, the Government shall re-submit the program to the Council within twenty-one days after the date of rejection by the Council, with modifications included as deemed appropriate by the Government. If the Council of Deputies rejects the program by majority vote for a second time within a period not exceeding twenty-one days, the King accepts the resignation of the cabinet. If the Council does not ratify the program of the new Ministry with the same process and within the same time periods as aforementioned, the King may dissolve the Council or accept the resignation of the Ministry and appoint a new Ministry. The Council shall resolve to accept or reject the Government's program within the specified time periods. If such periods elapse without a resolution being made by the Council, the program shall be considered accepted.

Article (47)

1. The Council of Ministers will protect the interests of the State, chalk out the general policy of the Government, follow up its implementation and supervise the progress of work in the Government apparatus.
2. The King will preside over the meeting of the Council of Ministers whenever he attends them.
3. The President of the Council of Ministers will supervise the performance of the Council in carrying out its tasks and proceeding, implement its decisions and coordinate and integrate its work with other Ministries.
4. Should the president of the Council of ministers relinquish his office for any reason whatsoever, it would mean the relinquishment by all the ministers of their posts.
5. The deliberations of the Council of Ministers will be secret. Its decisions will be issued when the majority of the members are present and the majority of those present approve them. In case of equality of votes, the casting vote of the president will be decisive. The minority will abide by the majority unless it is independent. The decisions of the Council will be raised to the king for approval in cases where a Decree needs to be issued in regard to them.

Article (48)

1. Every Minister will undertake to supervise the affairs of this ministry, implement the general policies of the Government, chalk out the guidelines for the Ministry and supervise their execution.
2. It will not be permissible for the Minister, while assuming a Ministry to undertake any other public office or engage even indirectly in a free occupation, industrial, commercial or financial undertaking, even as it is not permissible for him to participate in the obligations undertaken by the Government or Public Bodies; or bring together the Ministry and the membership of the board of directors of any Company except in the capacity of a representative of the government without reverting back to it in return for it. During that period, it will not be permissible to him to buy a lease any Government property even by public action or rent it out or sell any of it or barter it.

Article (49)

If the President of the council of ministers or any Minister gives up his post for with urgent matters concerning his post until relief is appointed.



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Article (50)

1. The law will organize general bodies and municipal administrative bodies invested with independence in the light of state guidance and supervision. It will guarantee to the administrative bodies of the Municipalities the

administration of public utilities of a local character, which enter their domain and their supervision.

عربي

2. The state will consider institutions or public bodies which are in line with the general policy of the state and in the interests of the citizens.

Chapter 3 : LEGISLATIVE AUTHORITY THE NATIONAL COUNCIL

Article (51)

The National Council will consist of two Councils: The Shura Council and the Council of Deputies.

SECTION ONE : THE SHURA COUNCIL

Article (52)

"As amended by the Amendments to the Constitution of the Kingdom of Bahrain 2012"

The Shura Council consists of forty members appointed by Royal Decree, in accordance with the procedures, conditions, and the method defined by Royal Decree.

Article (53)

"As amended by the Amendments to the Constitution of the Kingdom of Bahrain 2012"

A member of the Shura Council must be a citizen of Bahrain, and for naturalized citizens at least ten years must have elapsed since acquiring their citizenship. He must not be a citizen of another country, with the exception of citizens of the member states of the Cooperation Council of the Arab States of the Gulf, on the condition that his Bahraini citizenship be his original citizenship. He must enjoy full civil and political rights, and must be enrolled in an electoral register. His age must not be less than 35 years by the Gregorian calendar on the date of appointment, and he must have the requisite experience or have performed a valuable service to the nation.

Article (54)

1. The membership period of the Shura Council will be four years. However, a member may be reappointed whose period of membership has ended.
2. Should a membership of the Shura Council fall vacant before the end of the year for any reason the King may appoint an alternate Member in his place till the end of the tenure of his predecessor.
3. Any Member of the Shura Council may request his exemption from the membership of the Council from the President of the Council. The President may raise it to the King. The membership will not terminate until the date on which this request receives the approval of the King.
4. The King will appoint the President of the Shura Council for the duration of the Council and the Council will elect two deputies of the President of the Council for each session.

SECTION TWO : THE COUNCIL OF DEPUTIES

Article (56)

The Council of Deputies will consist of forty members elected directly by secret ballot in a general election as per regulation laid down by law. 



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Article (57)

"As amended by the Amendments to the Constitution of the Kingdom of Bahrain"

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1. Member of the Council of Deputies should fulfill the following conditions:
2. He must be a citizen of Bahrain, and for naturalized citizens at least ten years must have elapsed since acquiring citizenship. He must not be a citizen of another country, with the exception of citizens of the member states of

3. On the Election Day, he should be thirty years AD old.
4. Should be fluent in reading and writing Arabic.
5. His membership of the Shura Council or the Council of Deputies should not have been dropped by a decision of the Council to which he belong because of lack of confidence or credibility or due to a default in the performance of his duties as a Member. A Member whose membership has lapsed may be nominated if his legal suspension order dropping his membership has lapsed; or a decision is issued by the Council of which he was a member, nullifying the prohibition against his nomination as a result of his suspension order was issued.

Article (58)

The terms of the Council of deputies will be four years AD from the date of its first meeting. During the last four months of its term, election will take place for a new Council in pursuance of Article (64) of this Constitution. A member whose term has expired may be re-elected.

The King may extend the legislative term of the Council of Deputies as deemed necessary by a Royal Order for a period not exceeding two years.

Article (59)

"As amended by the Amendments to the Constitution of the Kingdom of Bahrain 2012"

If, for any reason, a seat in the Council of Deputies becomes vacant before the end of term, a replacement member shall be elected within two months after the Council declares that seat vacant. The term of the new member shall be up to the end of term of his/her predecessor.

If the vacancy occurs as a result of a member's resignation, the resigning member may not run for the membership of the Council for the legislative term during which that member submitted his/her resignation.

If the vacancy occurs within the six months preceding the end of the Council's legislative term, no replacement member is elected.

Article (60)

The Council of Deputies will elect, in its first meeting for the period of its term, a president and two deputy president from among its member. Should any vacancy occur among them, the Council will elect his substitute for the remaining period.

The election, in all cases, will be by absolute majority of those present. If such a majority is not forthcoming in the first ballot, the election between the two candidates scoring maximum votes will be repeated. Should anyone else other than the two secure equal numbers of votes with the second one in the second election, and then the election will be by relative majority. If more than one candidate secures a relative majority, the Council will select from among them by drawing lots.

The first meeting will be presided over by the member by age until the President of the Council is elected.

Article (61)

During the first week of its annual meeting, the Council will constitute the necessary Committees to carry out its functions. These Committees may exercise their jurisdiction during a recess of th



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Article (62)

The Cassation Court will be competent to decide suits concerning elections to th with the laws laid down for it.

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Article (63)

The Council of Deputies has the competence to accept resignation from its membership. The Council will not
date of such acceptance.

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Article (64)

1. If the Council of Deputies is dissolved, the elections for the new Council should be held within a period of not more than four months of the date of dissolution. If elections are not held during this period, the dissolved Council will recover its constitution power in full and will hold its meeting forthwith as if the dissolution never took place. It will continue to function until a new Council is elected.
2. The King may, despite what has been stated in the previous clause, postpone the election to the new Council if there are compelling circumstances even as in the view of the Council of Ministers holding of elections may be seen to be impracticable.
3. If the conditions described in the previous clause persisted, the King may, based on the opinion of the council of Ministers recall the dissolved Council and ask it to hold its session. Such a Council may be considered as functioning from the date of issue of the Royal Decree ordering recall. It will exercise its full constitutional powers and all regulations mentioned in this Constitution will apply to it, including those dealing with the completion of the term of the Council and its dissolution. The session held under this situation will be considered the first ordinary session of the Council irrespective of the date of its commencement.

Article (65)

"As amended by the Amendments to the Constitution of the Kingdom of Bahrain 2012"

Upon a motion signed by at least five members of the Council of Deputies, any minister may be questioned on matters within the minister's jurisdiction.

The questioning shall be subject to terms and conditions as stipulated in the Council of Deputies bylaws.

The questioning shall occur at the Council, unless the Council resolves by majority vote to conduct the questioning by the committee concerned. The questioning shall occur at least eight days after the date of motion filling, unless the minister requests the questioning to be expedited.

The questioning may lead to a vote of confidence in the minister by the Council of Deputies in accordance with the provisions of Article 66 of this Constitution.

Article (66)

1. Every Minister will be responsible for the performance of his Ministry before the Council of Deputies.
2. A motion of confidence in the Minister may not be raised except when he so desires or it is based on a request signed by ten members of the Council of Deputies in the wake of a discussion of the questionnaire aimed against him. The Council should not issue its decision on the request before seven days have elapsed since its submission.
3. Should the Council of Deputies decide by a majority of two-thirds of the members constituting it on no-confidence in a Minister, he will be considered as retired from the date of expression of no-confidence and will forthwith.
4. If the conditions described in the previous clause persisted, the King may, of Ministers recall the dissolved Council and ask it to hold its session. Su functioning from the date of issue of the Royal Decree ordering recall. I powers and all regulations mentioned in this Constitution will apply to i completion of the term of the Council and its dissolution. The session considered the first ordinary session of the Council irrespective of the date



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Article (67)

1. A motion of no confidence against the President of the Council of Ministers will not be placed before the Council of Deputies.
2. If a least ten members of the Council of Deputies file a motion with cause that cooperation with the Prime Minister is not possible, and if the majority of the members the Council agree, the motion shall be referred to the Council's Chamber for deliberation and referral to the Council within a period not exceeding two weeks after the motion is filed.
3. The Council of Deputies may not decide on the issue of impossibility of cooperation with the Prime Minister for a least seven days after the date of referral by the Council's Chamber.
4. If the Council decides by two-thirds majority that it is not possible to cooperate with the Prime Minister, the matter shall be submitted to the King for resolution, either by reliving the Prime Minister and appointing a new ministry, or by dissolving the Council of Deputies.

Article (68)

"As amended by the Amendments to the Constitution of the Kingdom of Bahrain 2012"

1. The Council of Deputies may submit proposals to the Government on public issues. The Government shall reply to the Council in writing within six months. If a proposal cannot be adopted, causes must be shown.
2. A public issue may be proposed for discussion by a motion signed by at least five members of the Council of Deputies, to clarify the Government's policy, and exchange views, on that issue, subject to the provisions of the Council's bylaws.

The Council's Chamber shall include the public discussion proposal on the agenda of the first session following the filing of motion, to be decided upon by the Council without deliberation.

Article (69)

The Council of Deputies may, at any time, constitute Committees of Inquiry or depute a Member or more, to investigate any matter within the competence of the Council as mentioned in the Constitution. The Committee or the appointed Member should submit the result of investigation within a period of not more than four months from the date of commencement of investigation.

The Ministers and all officials of the State shall submit evidence, documents and statement demanded from them.

SECTION THREE : COMMON REGULATION FOR BOTH COUNCIL

Article (70)

No law will be issued except when it is approved by both the Shura Council and the Council of Deputies or the National Council according to circumstances and ratified by the King.

Article (71)

The National Council will meet on the second Saturday of the month of October unless the King decides to ask it to meet earlier, and if it happens to be an official holiday then the meeting will be held on the first working day after the holiday.



Article (72)

The term of the annual session for both the Shura Council and the Council of Deputies shall be for one month and it will not be adjourned before the budget is endorsed.



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Article (73)

As an exception to the provision of the two previous Article, the National Council will assemble on the day following the end of the month of the date when the Shura Council is appointed or the election of the Council of Deputies takes place, whichever may have occurred later, unless the King decides to convene the meeting before this date.

(71) of the Constitution, then the period of the session stated in Article (72) shall be deemed shortened by the amount of difference between the two appointed times.

Article (74)

The King will open the normal session of the National Council with his lofty Address. He may depute the Crown Prince or his deputy for the purpose. Each of the two Councils will elect a Committee from among their members for preparing a draft reply to this Address. The two Councils will raise this reply to the King after its approval.

Article (75)

A Royal Decree may convene the Shura Council and the Council of Deputies for an extraordinary meeting should the King feel the need for the same or if requested by the majority of members.

In an extraordinary meeting, the Council will not look into matters other than those for which it is convened.

Article (76)

The King may, by a Royal Decree, cancel the holding of ordinary and extraordinary session.

Article (77)

Any meeting of the Shura Council or of the Council of Deputies, which is held at a time and place other than those specified will be null and void and it will invalidate its resolutions.

Article (78)

Every member of the Shura Council or the Council of Deputies will take the following oath in an open sitting before resuming his work in the council or its Committees:

"I swear by Almighty God that I will be true to the country and the King; will respect the Constitution and the laws of the State; protect the liberties of the people, their interest and properties and perform my duties with loyalty and truthfulness"

Article (79)

The meetings of the Shura Council and the Council of Deputies will be open. They may be secret if so decided by the Government or if requested by the President of the Council or ten Members. Such a request will be considered in a secret meeting.

Article (80)

For the correctness of any of the meetings of the Shura Council or the Council of Deputies, it should be attended by more than half of its members and its resolutions should be adopted by absolute majority of those present except in cases requiring a specific majority. In case of equal voting the President's vote will carry weightage. If the voting were connected with the Constitution, the Member will be called by their names.

If the quorum is not achieved in two consecutive meetings, the meeting will be considered correct provided the number of those present is not less than one-fourth of the Council members.

Article (81)

The President of the Council of Ministers will place the draft legislation before the Council. The Council will have the right to accept, amend or refuse it. Under all circumstances the draft will be referred to the Council of Deputies which will have the right to accept the draft amendments, refusal or any change. The Council of Deputies will have the right to refer the draft to the Council of Ministers. However, priority will be always accorded by the Government to the draft.



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Article (82)

Should the Shura Council disagree with the draft legislation approved by the Council of Deputies, whether the Shura Council or the Council of Deputies refer it to the Council of Deputies for a review.

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Article (83)

"As amended by the Amendments to the Constitution of the Kingdom of Bahrain 2012"

If the Council of Deputies passes a draft law as received from the Shura Council, it shall refer it to the Chairman of the Council of Deputies within a period not exceeding two weeks to be submitted to the King.

Article (84)

The Council of Deputies may refuse any change in the draft approved by the Shura Council and insist on its earlier decision without introducing any new changes in the draft law. In this case the draft will be returned to the Shura Council for the second time for its review. The Shura Council may accept the resolution of the Council of Deputies or insist on its previous decision.

Article (85)

"As amended by the Amendments to the Constitution of the Kingdom of Bahrain 2012"

If the Shura Council and the Council of Deputies dispute any draft law twice, the National Council shall be convened under the chairmanship of the Council of Deputies to deliberate disputed articles. For a draft law to be accepted, the National Council resolution shall be passed by majority vote of the members in attendance. When a draft law is so rejected, it may not be re-submitted to the National Council during the same legislative term.

Article (86)

"As amended by the Amendments to the Constitution of the Kingdom of Bahrain 2012"

In all events where a draft law is passed, the Chairman of the Council of Deputies shall refer the law to the Prime Minister, within a maximum of two weeks, to submit it to the King.

Article (87)

Every draft law which regulates economic or financial matters and which the Government wants looked into expeditiously, will first be placed before the Council of Deputies for a decision on it within fifteen days. At the end of this period, it will be placed before the Council of Deputies along with the opinion of the Council of Deputies if available, to record its opinion within another fifteen days. If there is a difference of opinion between the two Councils over the draft law placed before them, the matter will be referred to the National Council for a vote on it within fifteen days. If, during this period, the National Council does not decide the issue, the King may issue a Decree giving it legal force.

Article (88)

"As amended by the Amendments to the Constitution of the Kingdom of Bahrain 2012"

The Prime Minister may give a statement before the Council of Deputies, the Shura Council, or any of their respective committees on a subject within the Prime Minister's jurisdiction, or may delegate authority to a minister to do so. The Council or the Committee shall address that statement and express comments thereon.

Article (89)

1. A Member whether of the Shura Council or the Council of Deputies, represents the public interest. No one will have any authority over him in regard to his duties and responsibilities in the Council or its Committees.
2. No member of the Shura Council or the Council of Deputies will be liable for any statement made by him while thinking in the Council or its Committees, unless his opinion expressed therein is offensive to the basis of faith, is against national unity, does not show due respect to the King or constitutes slander against a person whosoever he may be.



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3. During the session, except in the case of open crime being committed, no Member will be subjected to the permission of the Council of which he is a member. When the Council is not in session, the permission of the President of the Council should be taken.

In the event of the Council or the President not issuing their decision in reply to the request for permission within a month of such a request being made, it will be taken as if permission has been granted.

The Council should be informed of the steps taken with regard to the previous clause when its session is held. Even as it should always be informed in its first meeting, of any steps taken during the annual recess of the Council against any of its Members.

Article (90)

The King may postpone by a Royal Decree the meeting of the National Council for a period not exceeding two months. During anyone session, postponement will not be repeated twice. The period of postponement is not to be counted against the term of the session laid down in Article (72) of this Constitution.

Article (91)

"As amended by the Amendments to the Constitution of the Kingdom of Bahrain 2012"

Any member of the Council of Deputies and Shura Council may raise written questions to ministers to seek clarification on matters within their respective competence. The member raising the question alone shall have the right to comment once on the reply. If the minister brings something new, the member's right to comment is renewed. Replies to questions of members of the Shura Council may only be made in writing.

Only a member of the Council of Deputies may raise a written question to any member of the Council of Ministers, from among those who are not referred to in the previous paragraph, to seek clarification on matters within his respective competence and the reply may only be made in writing.

The question raised may not pertain to a personal interest of the member, who is raising the question, or to the interest of any of his relatives up to the fourth degree or to any of his clients.

Article (92)

"As amended by the Amendments to the Constitution of the Kingdom of Bahrain 2012"

1. Fifteen member of the Shura Council or the Council of Deputies may collectively propose a constitutional amendment. Any member of either council may propose laws. Each proposal is referred to the concerned committee of the Council where the proposal is submitted to express opinion. If the Council resolves to accept the proposal, it shall be referred to the Government to be drafted as a draft constitutional amendment or draft law, and submitted to the Council of Deputies within a maximum of six months after the date of such referral.
2. Any proposed law submitted in accordance with the previous clause, which is rejected by the Council to which it is submitted will not be submitted for the second time during the same session.

Article (93)

The President of the Council of Ministers and the Ministers will have the right to attend the meeting of the Shura Council and the Council of Deputies. They will be listened to whenever they wish to speak. They may seek the help of senior officials or those deputizing for them, as they like.

The Council may request the presence of the Minister concerned while matter discussed.



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Article (94)

1. The law will define the system of work in the Shura Council, the Council of Deputies and their Committees; the principles of discussion, voting, questioning and all inquiry; all the competences mentioned in the Constitution

and all the penalties which may accrue when the Member is guilty of a breach of discipline, non-attendance of

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2. Both Council may add to the laid-down regulation for them such complementary laws as they deem fit.

Article (95)

Maintenance of order in the Shura Council or the Council of Deputies is the prerogative of its President. Each Council will be provided with a guard to be under the orders of the President of the Council.

No other armed force will enter the Council or remain near its doors except when its President so demands.

Article (96)

Law will lay down the remuneration of the members of the Shura Council and the Council of Deputies. In case of any changes in remunerations, these will not be implemented except from the beginning of the next legislative session.

Article (97)

The membership of the Shura Council and the Council of Deputies will not be combined, Similarly, the membership of either Council will not be combined with any public office.

The law will lay down other cases where such a combination is not permissible.

Article (98)

It will be improper for a member of the Shura Council or of the Council of Deputies, during the term of his membership, to be appointed to the Board of Directors of a Company, or participate in obligations entered into by the Government or public institutions except as stated in law.

During this period he will not purchase or lease any State property or rent it out or sell to the State any of his property or barter it, unless this happens by open bidding or tender, or by applying the system of acquisition of private property in public interest.

Article (99)

If the incompetence of a Member of the Shura Council or the Council of Deputies comes to notice during the period of his membership, the membership will lapse and his post will be considered vacant by the decision of the two-thirds majority of the members of the Council of which he is a member.

The membership of any member of the Shura Council or the Council of Deputies may be dropped if he loses confidence and credibility or fails to discharge his duties as a member. The decision to cancel his membership should be made by a two-thirds majority of the members of the Council of which he is a member. The resolution, if adopted by the Shura Council, will be raised to the King for approval.

Article (100)

The members of the Shura Council or the Council of Deputies will not be conferred any medals during the period of their membership.

SECTION FOUR : SPECIAL RULES FOR CONVENING THE NATIONAL COUNCIL



Article (101)

In addition to the conditions under which the national Council meet under the King may call for such a meeting as he deems fit, or if the President of the Council



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Article (102)

"As amended by the Amendments to the Constitution of the Kingdom of Bahrain 2012"

The Chairman of the Council of Deputies chairs the meeting of the National Council. In his absence, authority to chair

Article (103)

"As amended by the Amendments to the Constitution of the Kingdom of Bahrain 2012"

In other matters where the Constitution requires a certain majority, National Council sessions do not satisfy the legal quorum requirements unless attended by a majority of members of each of the Councils separately. If the quorum is not satisfied two consecutive times, the meeting of the National Council shall be considered valid, provided that the number of attending members of each council is not less than one quarter of the members of that council. Resolutions are passed by majority vote of attending members. If votes are split, the Chairman shall have a casting vote.

Chapter 4 : JUDICIAL AUTHORITY

Article (104)

1. The honor of the Judiciary, the integrity of the Judges and their justice will be the basis of rule and the guarantee of rights and liberties.
2. No one has any power over the Judge in the administration of justice. Under no circumstance will there be interference with the course of justice and the law guarantees the independence of the judiciary. The law will describe the security for the Judges and the special regulation in their respect.
3. The law will lay down special rules for public prosecution, the duties of giving legal advice, legislation, representing the State before the Judiciary and those working in this field.
4. The law will lay down the rules for legal practice.

Article (105)

"As amended by the Amendments to the Constitution of the Kingdom of Bahrain 2012"

1. The law will organize courts of various types and grades and lay down their functions and jurisdiction.
2. The law regulates the military judiciary and shows its competencies with regards to Bahrain Defense Force, the National Gaur and the Public Security Forces.
3. The Court Sittings will be open except in exceptional circumstances stated by law.
4. By law, Supreme Council for Judicial will be established for supervising its efficient working and of its other auxiliary organs. The law will lay down its competence in the matter of the duties of the Judicial and public prosecution.

Article (106)

A Constitutional Court will be established with a President and six Members under a Royal Decree for a period laid down in law entrusted with the supervision of the constitutionality of rules and regulations.

The law will describe bases, which guarantee non-liability of the Members to suspension and lay down the procedures, which are to be followed before it. It guarantees the right of the Council of Deputies and other individuals concerned when the constitutionality of the text of any law is challenged. Any order passed about the unconstitutionality of the text of any law will be without effect unless the Court lays down a subsequent date for it. If the order of unconstitutionality is issued in regard to a criminal offence, then the incriminating orders issued in regard to that text will be without effect.

The King may refer to the court, any draft laws before their issue, to determine their constitutionality. Any determination will be considered mandatory for all State authorities and others.

Chapter 5 : FINANCIAL MATTERS

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Article (107)

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1. Raising general taxes, their amendments or cancellation will not happen except by law. No one will be exempted from its payments wholly or in part except as provided for in law. No one will be charged taxes, duty or tariffs except within the limit of law.
2. The law will lay down special rules for the collection of taxes and excise etc, as public funds and the procedures for their expenditure.
3. The law will lay down special rules for the protection of state funds, their management, conditions for their disbursement and the limit of relinquishment of any part of them.

Article (108)

1. The loans may be raised as per law. The State may raise or guarantee a loan as per law within the limits of credit laid down for this purpose in budgetary law.
2. The local bodies of municipalities or public corporations may lend or borrow or guarantee a loan as per special laws pertaining to them.

Article (109)

"As amended by the Amendments to the Constitution of the Kingdom of Bahrain 2012"

1. The Financial Year will be laid by law.
2. The Government shall prepare a draft law of the overall annual budget of the State's revenues and expenditures, and shall submit it to the Shura Council and Council of Deputies at least two months prior to the end of the fiscal year. Upon submission of the draft law, the two financial affairs committees of both Councils shall hold a joint meeting to discuss the draft bill with the Government. Upon closing of discussions, each committee shall submit a separate report to its Council. The draft bill shall be submitted to the Council of Deputies for deliberation and referral to the Shura Council for review in accordance with the provisions of the Constitution. The budget draft law may be amended by mutual agreement with the Government.
3. The draft law of the budget shall be discussed in accordance with its outline. A budget may be prepared for a maximum of two consecutive years. No public revenue may be allocated for any form of spending without a draft law.
4. The general State budget will be issued by law.
5. If the budgetary law is not issued before the beginning of the Financial Year, the previous budget will be followed until such time as the new one is issued. Income will be collected and expenditure incurred as per rules followed at the end of the year stated.
6. In no case will the maximum limit of the estimated expenses shown in the budgetary law and its amendment will be exceeded.

Article (110)

Every expense not shown in the budget or exceeding the estimates should be as



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Article (111)

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1. A per law, specific amounts may be earmarked for more than one Financial demands. It will be included in the successive annual budgets of the State ; what is prescribed by the said law.
2. Similarly, the expenditure referred to in the previous clause may be set-aside in an exceptional budget applicable to more than one Financial year.

Article (112)

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current tax, or amending the existing law or avoiding the issue of another law for the purpose, which the text of the Constitution requires that it be regulated by law.

Article (113)

The final accounts of the financial position of the State for the past year will first be presented to Council of Deputies within five months of the end of the Financial year. Its ratification will be, by a resolution of the Shura Council and that of the Council of Deputies accompanied by their observations and it will be published in the Official Gazette.

Article (114)

The law will make special rules for the general budgets, their appendices and their final accounts. Special rules of the State Budget and final accounts will apply to it. It will also lay down rules for the budgets and final accounts of the Municipalities and local public bodies.

Article (115)

"As amended by the Amendments to the Constitution of the Kingdom of Bahrain 2012"

The Government shall submit to the Shura Council and Council of Deputies, along with the draft annual budget, a statement of the State's financial and economic condition, and actions take to implement applicable budget allocations, and their effects on the new budget.

Article (116)

The law will establish a Dewan for Financial Supervision guaranteeing its independence. The Government and the Council of Deputies will assist in supervising the collection of income for the State and its expenditure within the limit of the budget. The Dewan will present to the Government and the Council of Deputies an annual report outlining its work and its observations.

Article (117)

1. Every commitment to invest in any natural resource or public utility will be by law and for a limited period. It will ensure all preliminary proceedings to facilitate exploration, discovery and execution openly and competitively.
2. No monopoly will be given except as provided for by law and it will be for a limited period.

Article (118)

The law will organize currency and banks and lay standard, weights and measures.

Article (119)

The law will regulate matters concerning salaries, pension, compensations, assistance and reward payable from the state Treasury.

Chapter 6 : GENERAL RULES AND FINAL PROVISIONS

Article (120)



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"As amended by the Amendments to the Constitution of the Kingdom of Bahrain"

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1. To amend any provision of the Constitution, the amendment shall be pass the members of each of the Shura Council and Council of Deputies. The am King, with the exception of the provisions of Article 35 (b, c, d) of this Constitution. If either Council does not approve the principle of amendment or the provision to be amended, the National Council shall be convened

and attended by two thirds of its members to address the draft amendment. The draft amendment may be

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2. If any amendment to the Constitution is rejected, it should not be put up again before the lapse of a year from the date of refusal.
3. There should be no proposal to change Article (2) of this Constitution, nor one for changing the system of Monarchy, and the principle of hereditary rule in Bahrain under any circumstances, Similarly the bi-cameral system, and the principles of liberty and equality enshrined in this Constitution are inviolable.
4. The power of the King as laid down in this Constitution, cannot be proposed to be changed during the period when someone else is deputizing for him.

Article (121)

1. The application of this Constitution will not render any obligations linking the Kingdom of Bahrain to other State and international bodies by virtue of treaties and agreements void.
2. In exception of the law stated in clause two of Article (38) of this Constitution, all laws, decrees of laws, decrees, regulations orders, decisions and declarations being acted upon, before the National Council holds its first meeting will be considered valid and in force, unless altered or cancelled in accordance with the procedure laid down in this Constitution.

Article (122)

The laws will be published in the Official Gazette within two weeks of their issue and will be acted upon after a month of the date of their publication. The law may, in its text, provide for a shorter or a longer interval.

Article (123)

No law of this Constitution will be suspended except when Martial Law is declared, and that too within the limitations specified by law. Under no circumstances will the session of the Shura Council or the Council of Deputies will be suspended or the indemnity enjoyed by their member at that time or during the declaration of the State of National Security.

Article (124)

The legal provisions will not take effect except from the date from which they are to be implemented and they will not be affected by what happened before that date. Except for the Articles on punishment, the text of the law may be made effective from retrospective effect with the approval of the majority of the members of the Shura Council and the Council of Deputies or the National Council, according to circumstances.

Article (125)

This amended Constitution will be published in the Official Gazette and will be acted upon as from the date of its publication.

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