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**Law No. (12) of 2017 amending certain Provisions of the Military Justice Law promulgated by Legislative Decree No. (34) of 2002**

We, Hamad bin Isa Al Khalifa, King of the Kingdom of Bahrain.

Having reviewed the Constitution;

Penal Code promulgated by Legislative Decree No. (15) of 1976, as amended;

National Guard Law promulgated by Legislative Decree No. (20) of 2000, amended by Legislative Decree No. (38) of 2002;

Bahrain Defence Force Law promulgated by Legislative Decree No. (32) of 2002;

Military Justice Law promulgated by Legislative Decree No.(34) of 2002, as amended;

Judicial Authority Law promulgated by Legislative Decree No. (42) of 2002, as amended;

Criminal Procedures Law promulgated by Legislative Decree No. (46) of 2002, as amended;

Law No. (58) of 2006 regarding Protection of the Society from the Acts of Terrorism, as amended;

The Shura Council and the Council of Representatives have approved the following Law, which we have ratified and enacted:

**Article One**

A new Article numbered (17 bis) and (17 bis 1) shall be added to the Military Justice Law promulgated by Legislative Decree No. (34) of 2002, with the following text:

**Article (17 bis):**

Except as stated in any other law, the military judiciary shall have jurisdiction over the following crimes when intentionally committed by a person who is not subject to the provisions of this Law, whether as a perpetrator or as an accomplice, inside or outside the Kingdom.

a) Offences against the external security of the State as stipulated in Chapter One of Part One of the Special Section of the Penal Code, when committed in operations carried out by the Bahrain Defence Force or in cases of armed terrorism from abroad.

b) Crimes occurring within areas under the jurisdiction of the Bahrain Defence Force or the National Guard, including ships, aircraft, vehicles, buildings, camps, facilities, concentration and manoeuvring areas, troop advance axes, and operation sites.

c) Crimes committed against money, properties, equipment, machinery, tasks, communications, objects, weapons, ammunition, records, documents, or secrets of the Bahrain Defence Force or the National Guard and all their related belongings, wherever located.

d) Crimes committed against members of the Bahrain Defence Force or the National Guard when occurring due to or in connection with the performance of their official duties.

e) Crimes committed against vital or important facilities or official convoys when their security or guarding is under the responsibility of the Bahrain Defence Force or the National Guard.

f) Crimes related to any of the crimes mentioned in the preceding clauses.

The military judiciary may refer any of the crimes falling under its jurisdiction, according to the above clauses, to the civilian judiciary or any competent judicial authority.

**Article (17 bis 1):**

Except as stated in any other law, the Public Prosecutor, with the approval of the military judiciary, may refer to this judiciary any of the offences mentioned in the Law of Protection of the Community from the Acts of Terrorism or any of the offences against external or internal state security stated in Chapters one and Two of Part One of the Special Section of the Penal Code, and related crimes.

**Article Two**

The text of Article (46) of the Military Justice Law, promulgated by Legislative Decree No. (34) of 2002, shall be replaced with the following text:

**Article (46):**

The military courts shall be competent to adjudicate lawsuits falling under the competence of the military judiciary according to the provisions of this Law.

**Article Three**

All lawsuits that shall become under the jurisdiction of the military judiciary in accordance with this Law shall be referred to the military courts, unless they have already been filed before the competent court before the implementation of its provisions.

**Article Four**

The Prime Minister, the Commander-in-Chief of the Bahrain Defence Force, the Ministers, and the Chief of the National Guard – each within his jurisdiction– shall implement this Law, and it shall come into force from the day following the date of its publication in the Official Gazette.

**King of Kingdom of Bahrain**

**Hamad bin Isa Al Khalifa**

Issued at Riffa Palace:

On: 21 Rajab 1438 A.H.

Corresponding to: 18 April 2017