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**Law No. (13) of 2007 amending certain provisions of the Civil and Commercial Procedures Law promulgated by Legislative Decree No. (12) of 1971**

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

Having reviewed the Constitution ;

 Civil and Commercial Procedures Law promulgated by Legislative Decree No. (12) of 1971, and the laws that amend it;

 Legislative Decree No. (28) of 2002 with respect to Electronic Transactions;

And the Judicial Authority Law promulgated by Legislative Decree No. (42) of 2002;

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

**Article One**

Texts of Articles (32), (33), (34), (35), (36), (37), (38) and (39) of the Civil and Commercial Procedures Law promulgated by Legislative Decree No. 12 of 1971 shall be replaced with the following texts:

**Article (32):**

1- The notification document shall include the following data:

a- Date, Month, Year, and Hour of the notification

b- The name, surname, and domicile of the applicant for the notification, and the name, surname, domicile, and profession of his representative.

c- The name, surname and domicile of the receiver of the notification. If his domicile is not known at the time of the notification, then his last domicile.

d- The name of the person in charge of notification, his position, the entity to which he is affiliated, and his signature on the original and copy.

e- Subject of the notification.

f- The name of the receiver of the notification, his surname, his capacity, and his signature, stamp, or thumbprint on the original copy. In the event of his refusal, this shall be proven, and the reason thereof shall be given in the presence of a witness, unless the nature of the notification by electronic means requires otherwise.

2- Every notification document issued by a court or judge in accordance with the provisions of this law shall be drawn up in two copies, signed by the judge or his representative, and stamped with the court's seal, unless the nature of the notification by electronic means requires otherwise.

3- The notification shall be made by any public employee assigned to do so or by any other authority specified by the Minister of Justice after the approval of the Supreme Judicial Council.

4- Notification may be made by electronic means stipulated by law, and the Minister of Justice shall issue a decision regulating this process after the approval of the Supreme Judicial Council.

**Article (33) :**

With the exception of the notification by electronic means, a copy of the notification shall be delivered to the person to be notified or at his domicile.

**Article (34) :**

With the exception of what is stipulated in any special law, a copy of the notification shall be received in the following manner:

What is related to ministries, government departments, public bodies and public institutions of all kinds, it shall be handed over to their legal representatives.

What is related to companies, associations, private establishments and all other private legal entities, it shall be handed over at their management center to their legal representative or to his deputy. In case of their absence, a copy of the notification shall be delivered to one of the employees of their offices, and if it does not have a management center, the copy shall be delivered to its representative in person or at his domicile.

What is related to foreign companies that have a branch or office in the Kingdom, it shall be handed over to the person in charge of the company’s branch or office or his legal representative in the Kingdom. In case of their absence, it shall be handed over to one of his office employees.

And what is related to the members of the Bahrain Defence Force, the police, or the like, it shall be handed over to the competent authority to which they belong to notify them.

And what is related to the prisoners, it shall be handed over to the administration of the place where they are held to notify them.

What is related to the sailors of commercial ships or those working in them, it shall be handed over to the captain or his representative to notify them.

**Article (35) :**

If the person in charge of notification does not find the person to be notified in his domicile, he shall deliver the copy to whosoever he determines to be his agent, works in his service, or is one of the spouses, relatives, or in-laws who live with him.

If there is no one to whom a copy of the notification may be delivered in accordance with the provisions of the preceding paragraph, or if any of them is found refusing to receive it, the person in charge of notification shall prove this in the two copies of the notification, and one of them shall be affixed to the door of the headquarters or the place where the person to be notified resides.

**Article (36) :**

If the person to whom a copy of the notification was delivered or left with him is unable to affix his signature or seal, the person in charge of notification shall deliver or leave a copy of the notification in the presence of a witness.

**Article (37) :**

In the case of evidence to prove the occurrence of notification, every written declaration that appears to have been issued and signed by the person in charge of notification or who has witnessed the notification is accepted, as well as every copy of the notification that appears to have been signed in the manner indicated in Paragraph (f) of Article (32) or by any electronic means of proof prescribed by law if the notification has been delivered by electronic means.

**Article (38) :**

If it is proved to the court that there is no way to deliver the notification in accordance with the provisions of the previous articles for any reason, it may order that the notification be delivered as follows:

a- Posting a copy of the notification on the notifications board prepared for that purpose at the court’s headquarters, and another copy on a visible side of the door of the last headquarters or place where the person to be notified was residing or practicing his work.

b- Publishing a notification in the Official Gazette or in any widely circulated daily newspaper issued in the Kingdom in Arabic, or in both, or in another newspaper issued in a foreign language if necessary, and the date of publication is considered the date of delivery of the notification.

If the court issues a decision to follow the method of notification in accordance with the two preceding clauses, it must specify in its decision a date for the notified person to appear to present his defence before it.

**Article (39) :**

If it is proven to the court that the person to be notified resides outside the Kingdom and that he does not have a representative there to receive the notification on his behalf and that he has a known domicile abroad, it may order that he be notified by diplomatic means if possible, otherwise he may be notified by registered mail with acknowledgement of receipt at his address where he resides, or by any appropriate electronic means, unless notification methods are regulated in this case by special agreements.

**Article Two**

The word “notification” shall be replaced by the words “serving notice” and “summons” wherever they appear in the Civil and Commercial Procedures Law promulgated by Legislative Decree No. 12 of 1971.

**Article Three**

The Minister of Justice and Islamic Affairs shall implement the provisions of this law, and it shall come into force from the day following the date of its publication in the Official Gazette.

**Acting King of the Kingdom of Bahrain**

**Salman bin Hamad Al Khalifa**

Issued at Riffa Palace :

On : 22 Rajab 1428 A.H.

Corresponding to : 5 August 2007