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**Legislative Decree No. (13) of 1977**

**Promulgating the Building Regulation Law.**

We, Isa bin Salman Al Khalifa, Emir of the State of Bahrain.

Having reviewed the Constitution,

Emiri Order No. (4) of 1975,

The Municipal Statutes promulgated in 1951,

And Decree No. (7) of 1970 on the Interim Law regulating Land Development, as amended by Legislative Decree No. (16) of 1971,

Legislative Decree No. (16) of 1973 regarding the Establishment of a Temporary Central Municipal Authority to Manage Municipal Affairs,

And Law No. (3) of 1975 regarding Public Health,

And upon the submission of the Prime Minister,

And after the approval of the Cabinet,

Hereby Decree the following Law:

Article One

The Constructional Organisation of Buildings Law accompanying this Law shall be implemented.

Article Two

The Ministers—each within their jurisdiction—shall implement this Law, and it shall come into force four months after the date of its publication in the Official Gazette.

Emir of the State of Bahrain

Isa bin Salman Al Khalifa

Issued at Riffa Palace

On 26 Jumada al-Awwal 1397 AH

Corresponding to 14 May 1977

**Constructional Organisation of Buildings Law**

Article – 1 –

Without prejudice to the provisions of Law No. (3) of 1975 regarding Public Health, no building may be constructed, no works shall be undertaken, no part shall be added, nor shall any section be demolished or any modification made, whether to the external appearance of the building, its structure, or internal arrangement. Additionally, no land shall be altered by excavation or backfilling, except after obtaining a licence from the municipality.

Article – 2 –

Any construction or work subject to licensing under this Law that is carried out without a licence or in contravention of the provisions of the granted licence shall entitle the municipality to order its immediate cessation. This is without prejudice to the imposition of fines or the removal of what has been constructed in violation of this Law. The violator shall not be permitted to continue work in accordance with the terms of the licence until the effects of the violation have been removed within a period not exceeding three months from the date of the ruling, at the violator's expense; otherwise, the municipality shall remove them at the violator's cost.

Article – 3 –

The application for a licence shall be submitted to the Technical and Engineering Affairs Directorate at the municipality on the prescribed form, accompanied by the drawings, data, and documents specified by the executive regulations of this Law. The municipality shall provide the applicant with a dated receipt acknowledging receipt of the application and its attachments.

Article – 4 –

A licence shall not be granted except after verifying the following:

1- The applicant's relationship to the property.

2- That the submitted drawings are prepared and approved by recognised architectural and structural engineers accredited by an official authority.

3- A declaration from the supervising engineer, approved by the municipality, stating their willingness to assume responsibility if required.

The implementing regulation of this Law shall specify the conditions under which the applicant may be exempted from the provisions of Clauses Two and Three, provided that the reason for the exemption is the small size of the land intended for construction, the low value of the building, the minimal costs of excavation or backfilling, or other reasons determined by the implementing regulation that relate to the specific circumstances of each application.

Article – 5 –

A licence shall not be granted except after the submission of the following drawings:

1- A site plan showing the adjacent properties within a radius of at least 100 metres, excluding small buildings as determined by the implementing regulation.

2- A drawing indicating the location of the construction in relation to the land, as well as any existing structures at the time of the application.

3- Architectural drawings of the building and the structural arithmetic note.

4- Structural drawings of the foundations and all floors.

5- The applicant must provide evidence of their status or relationship to the site of the construction or work.

The municipality shall issue regulations concerning the standards to be followed in the aforementioned drawings, as well as other drawings and documents deemed necessary.

The implementing regulation of this Law shall specify the conditions under which the submission of the drawings outlined in Clauses (1), (2), (3), and (4) of this Article may be exempted, provided that the reason for the exemption is the small size of the land intended for construction, the low value of the building, minimal excavation or backfilling costs, or other reasons determined by the implementing regulation that relate to the specific circumstances of each application.

Article – 6 –

The municipality shall issue the licence after the approval of a committee formed by a decision of the Chairman of the Municipal Authority, which must include representatives from all relevant official entities.

Article – 7 –

a. The municipality shall decide on the licence application within a period not exceeding thirty days from the date of submission. If it deems amendments or changes to the submitted drawings or documents necessary, it shall notify the applicant by registered letter within fifteen days from the date of submission of the amended drawings or documents.

b. In the event of a refusal of the licence application, the municipality must notify the applicant of the rejection and its reasons within the thirty-day period specified in the previous paragraph.

If the applicant does not receive any notification within this period, they may submit a letter to the municipality or notify it by registered letter of their intention to commence the work for which the licence is sought after fifteen days from the date of delivering the letter or sending the registered letter to the municipality. The applicant shall be considered as having obtained the required licence if they do not receive a reasoned response from the municipality within the aforementioned fifteen days.

Article – 8 –

If the regulation requires the incorporation of part of the public property into the land for which a licence is requested, or the incorporation of part of private land according to the plans prepared by the planning authority, the licence shall not be granted until the necessary financial and legal procedures have been completed.

However, if the regulation necessitates the incorporation of part of a private property into a public facility, this part shall be incorporated into the public property without awaiting the issuance of the licence, and compensation procedures shall follow thereafter.

Article – 9 –

Without prejudice to the provisions of Law No. (3) of 1975 regarding Public Health, no construction or works as specified in this Law shall be carried out, nor shall any licence be granted, unless they comply with the technical standards, general specifications, and requirements of safety, security, durability, and aesthetic quality stipulated in this Law and in the regulations issued in implementation thereof.

Article – 10 –

The granting or renewal of a licence shall not prejudice the rights of concerned parties related to the land specified in the licence, nor shall it impose any liability on the municipality regarding the execution of the works subject to the licence, unless there has been an error by the municipality in delineating the boundaries and levels.

Article – 11 –

The construction or works must be executed in accordance with the drawings, documents, and data on which the licence was granted, and no substantial amendments shall be made to the licensed and approved drawings and designs without the municipality's approval.

Article – 12 –

The licence holder or their engineer shall receive from the relevant authority at the municipality the specific boundaries of the plot subject to the licence and the levels, as well as the alignment line, before commencing construction.

The licence holder or their representative must deliver a letter to the municipality or notify it by registered mail before commencing the pouring of the foundations, so that the relevant engineer from the municipality may inspect the site within a maximum of one week from the date of the letter or notification to determine the alignment line or road boundary. The licence holder or their representative shall be obliged to sign the report prepared by the municipality for this purpose.

If a week elapses after the letter or notification without the relevant municipal engineer attending, the licence holder may proceed with construction without requiring the engineer's presence.

Article – 13 –

a. Without assigning any tortious liability to the municipality in this regard, the licence holder, The licence holder, the engineer, and the contractor—if present—shall bear full responsibility for the proper execution of the licensed constructions, and the engineer and contractor shall be the primary responsible parties for adhering to the boundaries and heights.

b. Their responsibility shall also cover the safety of the building during the execution period and for a minimum of five years thereafter. Their responsibility extends to adjacent buildings and any public facility for any damages that may occur due to the execution of the works subject to the licence, and this responsibility shall be governed by the provisions of applicable laws.

Article – 14 –

The licence duration is one year and shall become null and void if construction does not commence within this period or if construction work is suspended for a full year.

The licence may be renewed upon obtaining written approval from the municipality.

The completion of excavation works related to the foundations shall not be deemed as the commencement of construction within the meaning of this Article.

Article – 15 –

The municipality shall determine the fees due for examining the drawings and data submitted by the licence applicant, as well as the fees for granting and renewing the licence. A decision in this regard shall be issued by the Chairman of the Municipal Authority after obtaining the approval of the Cabinet.

Article – 16 –

Authorised municipal employees are entitled to access work sites to ensure that construction or work is being conducted in compliance with the terms of the licence. In the case of internal modifications or renovations, the authorised employee must obtain prior permission from the occupants of the building to be modified or renovated. If permission to enter is refused or there is no response to the request within a reasonable time, they have the right to enter after obtaining permission from the appointed judge for investigation, based on a request submitted to them by the relevant employee in the municipality.

Permission shall be issued promptly, without the need to hear the statements of the occupants of the building.

No fees shall be charged for this request.

Article – 17 –

The licence holder must take the necessary and sufficient measures to ensure the safety of workers, those involved in the execution, and passers-by, by erecting required fencing or other barriers around the building, with the aim of restricting execution activities and preventing unauthorised access to the work site.

Article – 18 –

In the event of a suspension of execution, the licence holder, contractor, or supervising engineer shall be responsible for taking appropriate measures to mitigate any hazards that may arise from the construction or works that have been executed since the date of cessation. Should any of them fail in this regard, the municipality may act on their behalf to take such measures at their expense and under their liability, without prejudice to any penalties or sanctions imposed by this Law or any other applicable law.

Article – 19 –

Upon completing the construction, the licence holder or their representative must submit a request to the municipality for a habitation or utilisation permit. The municipality shall issue this permit within two weeks of receiving the request, provided the construction complies with the licence and satisfies all conditions set forth in the applicable laws and regulations. In case of refusal, the municipality must notify the licence holder via registered letter within the stated period. If no response is received within the two-week period, the licence holder is entitled to use or occupy the building.

Public services such as electricity, water, and sewage shall not be provided to the building until the conditions outlined in this Article are met or the specified timeframes have passed.

Article – 20 –

The Cabinet shall issue decisions defining the various areas within the State and establishing the regulatory requirements for development.

Article – 21 –

The municipality shall issue decisions that include the specific requirements for buildings and works subject to licensing, including general specifications, safety and security standards, structural integrity, and aesthetic considerations.

Article – 22 –

A grievance committee shall be formed by a decision of the Chairman of the Municipal Authority regarding the decisions issued by the municipality concerning building regulations, with its headquarters at the municipality. The municipality's representative shall be summoned before the committee, and the applicant for the grievance shall also be invited to express their viewpoint before the committee. Decisions of the committee may be appealed to the High Court within thirty days from the date of issuance, through a lawsuit filed through the usual means.

Article – 23 –

Any violation of the provisions of this Law or the decisions implementing it shall be punishable by a fine of not less than ten dinars and not more than one hundred dinars. Additionally, a ruling shall be issued to correct, complete, or demolish the non-compliant works.

Furthermore, double the fees due for licences shall be imposed in cases where the subject of the violation is performing works without a licence, as well as a ruling based on the municipality's request to submit the drawings stipulated in the Law or the decisions implementing it within the period specified by the ruling.

If the violator fails to submit these drawings within the specified period, they shall be fined not less than fifty dinars and not more than five hundred dinars, with an additional grace period granted for submitting the drawings. The fine shall be repeated each time the violator fails to submit the drawings within the specified timeframe.

Article – 24 –

If the concerned parties fail to implement the ruling or decision issued for the correction, completion, or demolition of the violating works within the period specified by the municipality, the municipality may remove the causes of the violation at their expense.

Article – 25 –

1- Without prejudice to the provisions of Article (20) of this Law, its provisions shall apply to all private and public buildings in areas specified by a decision from the Chairman of the Municipal Authority, and shall not apply to buildings constructed prior to the implementation of its provisions.

2- Without prejudice to the provisions of Article One of the Penal Code promulgated by Legislative Decree No. (15) of 1976, the provisions of this Law shall apply to buildings licensed for construction prior to its enforcement, provided that they do not conflict with the conditions of the licence.

Article – 26 –

The provisions of Decree No. (7) of 1970 on the Interim Land Development Regulation Law, as amended by Legislative Decree No. (16) of 1971, shall apply insofar as they do not conflict with the provisions of this Law.

All texts that contradict the provisions of this Law regarding Constructional Organisation of Buildings shall be repealed.

Article – 27 –

The Chairman of the Municipal Authority shall issue the necessary decisions to implement this Law.