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**Legislative Decree No. (15) of 2023**

**Amending Certain Provisions of Legislative Decree No. (32) of 2020**

**regarding the Rules of Registration, Safety, and Control of Small Ships**

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

Having reviewed the Constitution, in particular Article (38) thereof,

Law No. (11) of 2014 Approving the Safety Regulations for Small Ships Not Covered by International Maritime Conventions in the States of the Cooperation Council for the Arab States of the Gulf,

Legislative Decree No. (32) of 2020 regarding the Rules of Registration, Safety, and Control of Small Ships,

And the Maritime Law promulgated by Legislative Decree No. (10) of 2022,

And upon the submission of the Prime Minister,

And after the approval of the Cabinet,

Hereby Decree the following Law:

Article One

The term "owner" shall be replaced with "provider" in Article (20) of Legislative Decree No. (32) of 2020 regarding the Rules of Registration, Safety, and Control of Small Ships.

Article Two

The texts of Articles (1), (2) second paragraph, (10), (11) third paragraph, (18) first and second paragraphs, (19) first and second paragraphs, (21), and (22) of Legislative Decree No. (32) of 2020 regarding the Rules of Registration, Safety, and Control of Small Ships shall be replaced with the following texts:

Article (1):

In applying the provisions of this Law, "small ships" shall refer to any floating maritime unit with a gross tonnage of less than one hundred and fifty tons, irrespective of its intended use. The terms "owner of the ship" and "captain" shall have the meanings assigned thereto in the Maritime Law promulgated by Law No. (10) of 2022.

Article (2) Second Paragraph:

The registration of the ship shall be based on a request submitted by the owner or their representative to the Ports and Maritime Navigation Affairs at the Ministry of Transportation and Telecommunications.

The request must include the data and documents specified by a decision issued by the Minister of Transportation and Telecommunications, depending on the type of ship to be registered in the small ships register.

The registration office shall retain the originals of the submitted documents and official copies thereof.

Article (10):

It shall not be permissible to operate ships registered in accordance with the provisions of this Law in Bahraini waters without obtaining a driving licence, in accordance with the conditions and regulations determined by a decision issued by the Minister of Transportation and Telecommunications. Floating maritime units specified by a decision issued by the Minister of Transportation and Telecommunications shall be exempt from this requirement.

It shall not be permissible to navigate registered ships in accordance with the provisions of this Law in Bahraini waters without obtaining a navigation licence, in accordance with the conditions and regulations determined by a decision issued by the Minister of Transportation and Telecommunications. Small ships that do not engage in commercial activities shall be exempt from this requirement.

Article (11) Third Paragraph:

Upon being notified of any modification or damage, the Ports and Maritime Navigation Affairs at the Ministry of Transportation and Telecommunications shall prohibit the ship from sailing and arrange for an inspection by accredited maritime supervision companies designated by a decision of the Minister of Transportation and Telecommunications. The purpose of the inspection is to verify whether the damage has been repaired or if the modification affects the ship's seaworthiness. The licensee shall be informed of the ship's seaworthiness through a registered letter with acknowledgment of receipt or by any approved electronic means.

Article (18) First and Second Paragraphs:

Without prejudice to the measures established under the provisions of this Law, the Coast Guard at the Ministry of Interior shall have the right to prevent any ship from sailing for a period not exceeding one month if it is found to have committed any violation of the provisions of this Law and the decisions issued in implementation thereof.

In all cases, the Commander of the Coast Guard at the Ministry of Interior shall issue the sailing prohibition decision after reviewing the matter following the violation, and the violator shall be notified of the decision immediately upon its issuance by a registered letter with acknowledgment of receipt or by any approved electronic means.

Article (19) First and Second Paragraphs:

The Ports and Maritime Navigation Affairs at the Ministry of Transportation and Telecommunications may suspend the navigation licence and driving licence, and prevent the ship from sailing for a period not exceeding one month in either of the following cases:

1- A violation of any provision of this Law or the decisions issued in its implementation.

2- Obstructing the relevant authorities of the Ports and Maritime Navigation Affairs at the Ministry of Transportation and Telecommunications or the Coast Guard at the Ministry of Interior, or appointed experts from carrying out their duties in accordance with the provisions of this Law and the decisions issued in implementation thereof.

In all cases, the Undersecretary of the Ports and Maritime Navigation Affairs at the Ministry of Transportation and Telecommunications shall issue the sailing prohibition decision after reviewing the matter following the detection of the violation. The violator shall be notified of the decision immediately upon its issuance, either by a registered letter with acknowledgment of receipt or through any approved electronic means.

Article (21):

Without prejudice to the measures established under the provisions of this Law or any more severe penalties prescribed in any other law, imprisonment for a term not exceeding one year and a fine not exceeding one thousand five hundred Bahraini Dinars, or one of these penalties, shall be imposed on each of:

1- The captain of the ship, if they operated it without obtaining the driving licence specified in Article (10) of this Law.

2- The owner of the ship or the captain, if the ship sailed without obtaining the navigation licence specified in Article (10) of this Law.

3- The owner of the ship who fails to report any change or damage specified in Article (11) of this Law.

4- The owner of the ship who fails to request the cancellation of registration in the circumstances specified in Article (12) of this Law.

5- The owner of the ship or the captain, if the ship sailed despite a prohibition order against it.

6- The owner of the ship or the captain, if the ship sailed without complying with the provisions of Paragraph (a) of Article (13) of this Law.

Article (22):

Without prejudice to the measures established under the provisions of this Law or any more severe penalties prescribed in any other law, imprisonment for a term not exceeding one year and a fine not exceeding two thousand dinars, or one of these penalties, shall be imposed on anyone who prevents the relevant authorities of the Ports and Maritime Navigation Affairs at the Ministry of Transportation and Telecommunications or the Coast Guard at the Ministry of Interior, or appointed experts from carrying out their duties in accordance with the provisions of this Law and the decisions issued in implementation thereof.

Article Three

Two new articles, numbered (10 bis) and (19 bis), shall be added to Legislative Decree No. (32) of 2020 regarding the Rules of Registration, Safety, and Control of Small Ships, as follows:

Article (10 bis):

A request for the renewal of the navigation licence and driving licence for the ship must be submitted before the expiration of its validity period.

The Minister of Transportation and Telecommunications, following the approval of the Cabinet, shall issue a decision specifying the categories of fines applicable for delays in renewing the navigation licence and driving licence.

In all cases, the navigation licence and driving licence shall not be issued until the prescribed late renewal fine has been paid, in addition to the renewal fees.

Article (19 bis):

Without prejudice to the offences specified in this Law, the Ports and Maritime Navigation Affairs at the Ministry of Transportation and Telecommunications may impose an administrative fine not exceeding five hundred Bahraini Dinars on anyone who violates the provisions of this Law or the decisions issued in implementation thereof, with the fine being multiplied according to the number of violations.

Article Four

The Prime Minister and the Ministers—each within their 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 the Kingdom of Bahrain

Hamad bin Isa Al Khalifa

Prime Minister

Salman bin Hamad Al Khalifa

Issued at Riffa Palace:

On: 10 Rabi' al-Awwal 1445 AH

Corresponding to: 25 September 2023