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**Legislative Decree No. (16) of 2023**

**Amending Certain Provisions of Legislative Decree No. (15) of 1986**

**regarding the Regulation of Tourism**

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

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

And Legislative Decree No. (15) of 1986 regarding the Regulation of Tourism, as amended,

And upon the submission of the Prime Minister,

And after the approval of the Cabinet,

Hereby Decree the following Law:

Article One

The texts of Articles (4), (5), and (11 bis) of Legislative Decree No. (15) of 1986 regarding the Regulation of Tourism shall be replaced with the following texts:

Article (4):

a. Without prejudice to civil or criminal liability, the Bahrain Tourism and Exhibitions Authority may issue a reasoned decision imposing one of the following administrative penalties in the event of a violation of the provisions of this Law and the decisions implementing its provisions:

1- A written warning to the violator.

2- Imposing restrictions or conditions on the services provided by the licensee or on their licence to ensure the protection of the tourism sector.

3- Downgrading the classification of the tourism establishment.

4- Temporarily suspending the licence of the tourism establishment or any of its licensed activities for a period not exceeding three months.

5- Partially or fully closing the tourism establishment until the reasons for the violation are rectified.

6- Revoking the licence.

7- Imposing a daily administrative fine to compel the violator to cease the violation and rectify its causes, not exceeding one hundred dinars per day for the first offence, and two hundred dinars per day for repeated offences of the same nature within three years of the decision issued for the previous violation. In all cases, the total administrative fine shall not exceed twenty thousand dinars.

8- Imposing a cumulative administrative fine not exceeding thirty thousand dinars.

When imposing penalties, the severity of the violation, the extent of negligence exhibited by the violator, the benefits accrued, and the harm caused to others as a result must be taken into account.

b. The Minister shall issue a decision specifying the violations that result in administrative fines and the value of those fines. The Authority may also impose any of the penalties stipulated in Clauses (2), (3), (4), (5), and (6) of Paragraph (a) of this Article when imposing a fine.

c. The Authority may publish a statement about the established violation in the manner and means specified by the decision confirming the violation, in proportion to its severity. Such publication shall occur only after the expiry of the appeal period for the Authority's decision or the issuance of a final ruling confirming the violation, as applicable.

Article (5):

Any concerned party may file a grievance with the Minister regarding any decision issued under the provisions of this Law within thirty days from the date of notification. The grievance shall be resolved within twenty days from the date of submission. The lapse of this period without a resolution shall be considered an implicit rejection.

Anyone whose grievance has been expressly or implicitly rejected may file a challenge before the competent court within sixty days from the date of notification of the decision or from the date their grievance is deemed rejected.

The decision issued regarding the fine shall have the force of an enforceable instrument upon the expiration of the period mentioned in the previous paragraph unless the court orders its suspension.

Article (11 bis):

Imprisonment for a term not exceeding six months and a fine of no less than five thousand dinars and no more than fifty thousand dinars, or either of these penalties, shall be imposed on anyone who violates the provisions of Articles (2) and (3) of this Law or the decisions implementing them. The court may also order the closure or demolition of the establishment.

The penalty shall be imprisonment for a term not exceeding six months and a fine of no less than one thousand dinars and no more than three thousand dinars, or either of these penalties, for anyone who violates the provisions of Article (2) regarding tourism services exempt from tourism fees.

In all cases, the court shall close or demolish the establishment if tourism activities are conducted without a licence.

Recidivism in both cases shall be considered an aggravating circumstance.

In all instances of non-recidivism, it shall be permissible to reach a settlement with the Authority regarding the offences stipulated in Articles (2) and (3) of this Law or the decisions implementing its provisions, by paying the minimum prescribed fine, in accordance with the controls, procedures, and time frame set by a decision from the Minister. The criminal lawsuit shall be dismissed upon settlement.

Article Two

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