**Disclaimer: The official version of the law and any amendments thereto is published in Arabic in the Official Gazette. This version of the law, including amendments thereto, is provided for guidance and easy reference purposes. The Legislation & Legal Opinion Commission does not accept any liability for any discrepancy between this version and the official version as published in the Official Gazette and / or any inaccuracy or errors in the translation.**

**For any corrections, remarks, or suggestions, kindly contact us on translate@lloc.gov.bh**

**Published on the website on May 2024**

**Legislative Decree No. (23) of 2015 amending some provisions of the Cassation Court Law promulgated by Legislative Decree No. (8) of 1989**

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

Having reviewed the Constitution;

Law on Procedures Before Sharia Courts promulgated by Legislative Decree No. (26) of 1986, as amended;

Cassation Court Law promulgated by Legislative Decree No. (8) of 1989, as amended;

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

And upon the submission of the Prime Minister;

And after the approval of the Council of Ministers,

**Hereby Decree the following Law:**

**Article One**

Article (4),first paragraph of Article (10), and the last paragraph Article (25) of the Cassation Court Law promulgated by Legislative Decree No. (8) of 1989 shall be replaced by the following texts:

**Article (4):**

"The litigants shall have the right to appeal before the Court of Cassation against all final judgements issued in civil, commercial, and personal status for non-Muslims matters, as well as legitimate and criminal matters in accordance with the provisions of this Law”.

"It is not permissible to appeal by way of cassation in judgements issued before the decision on the matter, except if it leads to the suspension of the lawsuit”.

**Article (10) first paragraph:**

"The appeal by way of cassation shall not entail a suspension of the enforcement of the sentence. However, the Court of Cassation may order a temporary suspension of enforcement of the sentence if requested in the notice of appeal and if there is a fear of significant irreparable harm that cannot be remedied. However, in the case of divorce judgements, they shall not be executed until the expiration of the deadline for appeal by way of cassation or the issuance of a judgement by the Court of Cassation in the event of an appeal. In this case, the Court of Cassation shall decide on the appeal within a maximum period of four months from the date of the appeal”.

**Article (25) last paragraph:**

"However, if the court rules to annul the appealed judgement and the subject matter is ripe for final judgement without the need for new proceedings, or if it is a second appeal, the court shall rule on the subject matter and if necessary, it may schedule a session to consider the matter”.

**Article Two**

A new Article (8) bis shall be added to the Cassation Court Law promulgated by Legislative Decree No. (8) of 1989, which shall read as follows:

**Article (8) bis:**

“The litigants shall have the right to appeal before the Court of Cassation against judgements issued by the Sharia High Court of Appeal or by the Higher Sharia Court in its appellate capacity, under the following circumstances:

**1)** If the appealed judgement is based on a violation of the law, an error in its application or nterpretation.

**2)** If an invalidating fact in the award or the proceedings affects the award.

The appeal against judgements issued by the Jaafari Directorate is limited to cases where there is an invalidating fact in the procedures that affected the judgement”.

**Article Three**

The second paragraph of Article (8) of the Cassation Court Law promulgated by Legislative Decree No. (8) of 1989 shall be repealed.

**Article Four**

The Prime Minister and the ministers - 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 the Kingdom of Bahrain**

**Hamad bin Isa Al Khalifa,**

**Prime Minister**

**Khalifa bin Salman Al Khalifa**

Issued at Riffa Palace:

On: 6 Dhu al-Hijjah 1436 A.H.

Corresponding to: 9 September 2015