[[1]](#footnote-1)\*

[[2]](#footnote-2)\*\*

# LEGISLATIVE DECREE NO. (25) OF 2015

# WITH RESPECT TO COLLECTION OF COSTS OF CONSTRUCTING

# AND DEVELOPING INFRASTRUCTURE IN CONSTRUCTION PROJECTS

We**, Hamad Bin Isa Al Khalifa, King of the Kingdom of Bahrain**,

Having reviewed the Constitution, and particularly Article (38) thereof,

And the Civil and Commercial Procedures Act, promulgated by Legislative Decree No. (12) of 1971, as amended,

And the Law for Organization of Buildings, promulgated by Legislative Decree No. (13) of 1977, as amended,

And the Constructional Planning Law, promulgated by Legislative Decree No. (2) of 1994, as amended,

And upon the submission of the Chairman of the Council of Ministers,

And with the approval of the Council of Ministers,

We hereby enact the following law:

**Article (1)**

In the course of implementing the provisions of this Law, and unless the context requires otherwise, the following words and expressions shall have the meaning assigned opposite each:

**Minister:** The Minister designated in a Decree.

**Organizational Requirements for Construction:** The organizational requirements for construction in different areas of the Kingdom of Bahrain in pursuance of the provisions of the orders in force in this respect.

**Construction Areas:** The areas to which the organizational requirements for construction apply.

**Infrastructure:** The main and minor networks for roads, electricity, water and sewage, public squares and parks, landscaping the roads and green areas and such other utilities which serve the same purpose and are designated in an Edict by the Council of Ministers upon a recommendation by the Ministerial Committee.

**Ministerial Committee:** The Ministerial Committee concerned with infrastructure.

**Committee:** The Infrastructure Cost Estimation Committee, created in pursuance of the provisions of Article (6) of this Law.

**Article (2)**

The provisions of this Law shall be enforced in respect of collecting the cost of constructing and developing infrastructure in construction areas, and shall be excluded from its application the lands and residences owned by Bahrainis and allocated for their residence in new and existing construction areas, residences owned by Bahrainis and allocated for the residence of their first degree relatives in the existing construction areas in which infrastructure utilities will be developed and improved, after submitting documentary evidence, without this violating their obligation to pay fees for the services of connecting infrastructure in pursuance of the laws in force in the Kingdom.

**Article (3)**

The cost of infrastructure in construction areas shall be calculated against the following services:

1. Setting up infrastructure utilities in new construction areas in which there are no utilities or the construction of which has not been completed.
2. Developing and improving infrastructure utilities in existing construction areas.
3. Infrastructure utilities in existing construction areas in which there are such utilities.

**Article (4)**

The Ministerial Committee shall propose and study setting up infrastructure utilities in new construction areas and developing and improving infrastructure utilities in the existing areas, and shall submit its recommendations in respect thereof to the Council of Ministers for approval and to take the necessary action in respect thereof.

**Article (5)**

The cost of infrastructure shall be collected as consideration for the services provided for under Clause (1) and (2) of Article (3) of this Law in order to provide all infrastructure utilities. Notifying the landlord and the date of entitlement to the cost and the payment method shall be arranged in accordance with the mechanism approved by the Ministerial Committee.

The cost of infrastructure as a consideration for the service provided for under Clause (2) of Article (3) of this Law shall be collected on submission of the application to obtain a building permit in accordance with the classification of the construction area or the purpose of the building and the mechanism adopted by the Ministerial Committee.

**Article (6)**

A committee shall be created to estimate the cost of infrastructure, and such committee shall consist of a chairman and a number of specialists in government authorities or others, by virtue of an Edict by the Chairman of the Council of Ministers.

The Committee shall be in charge of examining and estimating the cost of infrastructure and submitting it to the Minister to forward it to the Ministerial Committee for approval.

An order shall be issued by the Minister after the Ministerial Committee’s approval specifying the categories of the cost of infrastructure on the basis of the building percentage in square metres and in accordance with the organizational requirements for construction in each one of the construction areas.

**Article (7)**

The Minister shall issue orders specifying the amount of the cost of the infrastructure due from landlords, and they shall be notified thereof in a registered letter with a delivery note.

Landlords may object to the amount of the cost due from them to the Minister within thirty (30) days from the date of their notification thereof. The Minister shall decide on the objection within thirty (30) days from the date of its submission. The expiry of the time limit without deciding on the objection shall be considered a rejection of it.

The amount of the infrastructure cost, stated in the orders referred to under the First Paragraph of this Article, shall become final and payable on the expiry of the time limit without objecting to it or from the rejection of the objection either explicitly or implicitly.

The Minister’s orders specifying the cost of the infrastructure due from landlords shall be considered an executive deed whereby the Minister may seek enforcement against the landlords to pay the cost of infrastructure in case they refrain from paying it.

Landlords shall have the right to appeal against the orders specifying the amount of the cost of infrastructure before the competent Court within forty five (45) days from the date of the cost amount becomes final.

**Article (8)**

The Minister may, in case landlords refrain from payment of the cost of infrastructure due, take the necessary action in respect of the property from the following measures:

1. Stopping the grant of licenses related to the property until the infrastructure cost due.
2. Notifying the government Authorities concerned with the construction or supervision of the execution of the infrastructure utilities to take the necessary action in respect of not connecting the infrastructure utilities to the property until the infrastructure cost due is settled.
3. Request the Survey and Land Registration Bureau not to record any act of alienation involving the property or establish any real right attached to the property, or charge it with any mortgages, until the infrastructure cost due is settled.

**Article (9)**

The fees for the services of connecting the infrastructure, prescribed and decided by virtue of the laws in force in the Kingdom, shall be calculated as part of the infrastructure cost for the landlords who are obliged to pay it.

**Article (10)**

The Minister shall issue the necessary orders to implement the provisions of this Law.

**Article (11)**

The Chairman of the Council of Ministers and Ministers, each in his respective capacity, shall implement the provisions of this law, which shall come into force on the first of November 2015, and shall be published in the Official Gazette.

**Hamad Bin Isa Al Khalifa**

**King of the Kingdom of Bahrain**

**Khalifa Bin Salman Al Khalifa**

**Chairman of the Council of Ministers**

Issued at Riffa’ Palace on:

23 Dhi Al Hijjah 1436 H

Corresponding to 7 October 2015

1. \* This copy is translated by Bahrain Economic Development Board (EDB) as per the provisions in force up to January 2019. [↑](#footnote-ref-1)
2. \*\*This is an unofficial translation and in the event of any conflict or discrepancy between the English text and the Arabic text, the Arabic text shall prevail. [↑](#footnote-ref-2)