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**Legislative Decree No. (37) of 2017 Amending Certain Provisions of Legislative Decree No. (14) of 1971 regarding Notarisation**

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

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

Legislative Decree No. (14) of 1971 regarding Notarisation,

Penal Code promulgated by Legislative Decree No. (15) of 1976, as amended,

The Attorney Law promulgated by Legislative Decree No. (26) of 1980 as amended,

The Cassation Court Law promulgated by Legislative Decree No. (8) of 1989,

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

The Law No. (60) of 2006 Reorganising the Legislation and Legal Advice Authority,

And the Real Estate Registration Law promulgated by Law No. (13) of 2013,

And upon the submission of the Prime Minister,

And after the approval of the Cabinet,

Hereby Decree the following Law:

Article One

A new Article numbered (1) bis shall be added to Legislative Decree No. (14) of 1971 regarding Notarisation, with the following text:

Article (1) bis:

"The Minister concerned with Justice Affairs may grant a licence to perform all or some of the acts of a Notary Public based on a request from an individual who meets the conditions of a private Notary Public as follows:

1- To be fully competent.

2- To be of good character and reputation.

3- Not to have previously been convicted of a felony or a crime involving dishonour or breach of trust, even if they have had their status restored or been pardoned.

4- To be among the judges, members of the Public Prosecution, and the retired members of the Legislation and Legal Advice Authority, or among lawyers and legal professionals who are licensed according to the controls and conditions specified in a decision issued by the Minister concerned with Justice Affairs.

The Minister concerned with Justice Affairs shall issue a decision detailing the acts of notarisation that a private Notary Public may be licensed to perform, the conditions and procedures necessary for issuing the licence, its duration and renewal, and cases of its cancellation, the other conditions that must be met by the licence applicant, the work mechanism of the licensee, the obligations they must fulfil, the registers and records they must maintain, the penalties that may be imposed on them for violations, the fees for the licence to be paid to the Ministry, and the fees for notarisation acts performed after the approval of the Cabinet.

The private Notary Public shall be obliged to collect the fees for the notarisation acts and remit them to the account of the Ministry concerned with Justice Affairs according to the conditions and periods set by the Minister.

The private Notary Public may charge a fee from the service recipient for notarisation services.

The Notarisation Office shall supervise and monitor the licensed private Notary Public's compliance with the provisions of this Law, its implementing regulations, and the decisions issued in implementation thereof. It shall have the authority to conduct administrative and technical inspections of their work, the right to enter the office of the private Notary Public at any time, examine the transactions they have drafted or notarised, and review all books, records, receipts, and documents, taking copies thereof if necessary.

The Minister concerned with Justice Affairs may, upon proving that the private Notary Public has violated the provisions of the law, its implementing regulations, and the decisions issued in implementation thereof, issue a reasoned decision to administratively close the premises of the private Notary Public or impose any of the other disciplinary penalties specified by decision of the Minister.

The licensed private Notary Public and their staff shall be regarded as public employees in applying the provisions of the Penal Code. All transactions drafted or notarised by the private Notary Public, as well as all books, records, receipts, and documents, shall be the property of the Ministry concerned with Justice Affairs.

The document drawn up by the private Notary Public shall have the same evidentiary value as that of official documents."

Article Two

The texts of Articles (2) and (5) of Legislative Decree No. (14) of 1971 regarding Notarisation shall be replaced with the following texts:

Article (2):

"The Notary Public, the assistant Notary Public, and the licensed private Notary Public shall, before commencing their duties, take an oath before the Minister concerned with Justice Affairs to perform their functions with integrity and honesty."

Article (5):

"Documents shall be notarised in Arabic. If one of the contracting parties does not know this language or is not proficient in it, the Notary Public shall use a translator provided by the contracting parties, who is trusted by them. The translator must sign the document along with the contracting parties and the Notary Public.

Documents may be notarised in English if the law permits notarisation in that language, and in other documents specified by a decision from the Minister concerned with Justice Affairs.

Documents in English shall be notarised by Notaries Public named by decision of the Minister concerned with Justice Affairs or by a private Notary Public whose licence permits them to notarise documents in English."

Article Three

The phrase "the Minister concerned with Justice Affairs" shall be replaced with "Head of the Justice Department" and the phrase "the Ministry concerned with Justice Affairs" shall be replaced with "The Justice Department" wherever they appear in Legislative Decree No. (14) of 1971 regarding Notarisation.

Article Four

The Minister concerned with Justice Affairs shall issue the necessary decisions to implement this Law within six months from the date of its entry into force.

Article Five

The Prime Minister and Ministers—each within their jurisdiction—shall implement the provisions of this Law, and it shall come into force after the lapse of forty- five days 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:

7 Muharram 1439 A.H.

Corresponding to:

27 September 2017