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**Ministry of Housing Decision No. (909) of 2015 regarding the Housing System**

Minister of Housing:

Having reviewed Legislative Decree No. (10) of 1976 regarding Housing, as amended by Law No. (7) of 2009;

Legislative Decree No. (4) of 1979 regarding establishing the Eskan Bank, as amended;

Decision No. (3) of 1976 regarding the Housing System, as amended;

Decision No. (7) of 1976 regarding the Residential Land System;

Decision No. (79) of 2014 regarding the Beneficiaries Union System of Beneficiaries of the apartments of the Ministry of Housing;

And the Decision No. (227) of 2014 regarding the Social Housing Finance Program;

And upon the submission of the Under secretary of the Ministry of Housing;

**Hereby Decides:**

**Chapter One**

**Definitions**

**Article (1)**

In applying the provisions of this decision, the following words and expressions shall have the meanings assigned to them below, unless the context requires otherwise:

Ministry: The Ministry concerned with Housing affairs.

Minister: The Minister concerned with Housing affairs.

Administration: Competent Administration with housing services at the Ministry.

Bank: **Eskan Bank.**

Housing Committee: The Committee formed by a Ministerial Decision concerned with expressing an opinion on the policies of distribution of Housing Services and any other tasks determined by the Decision.

**Housing Service:** It includes obtaining a House through ownership or leasing, or financing the purchase, building or renovation of a House in accordance with the Financing System applicable at the Eskan Bank, or obtaining a Residential Land through any of the housing programs offered by the Ministry.

**Financing System:** The system followed for the disbursement and collection of Finance in the Bank.

Finance: Lending on easy repayment conditions in order to purchase, build or renovate a House in accordance with the Financing System applicable at the Eskan Bank.

Child: Son or daughter.

Family: The Family unit with the right to benefit from the Housing Service, and it consists of one of the categories mentioned in Article (3) of this Decision.

Head of the Family: Who has reached twenty-one (21) years of age and is the provider of the Family, as stated in Article (4) of this Decision.

Request: The Request submitted to obtain a Housing Service in accordance with the provisions of this Decision and according to the forms prepared for this purpose.

Applicant: The Head of the Family applying for a Housing Service.

Beneficiary: The Beneficiary of a Housing Service in accordance with the provisions of this Decision.

Allocation: Enabling the Applicant to benefit from one of the Housing Services according to a Decision of the Minister.

Income: The monthly Income of the Head of the Family calculated as set out in Article (66) of the this Decision.

Housing: Every housing unit, whether a House or an apartment, within the Housing Service programs, to achieve the objectives of the Housing Law and the decisions issued in implementation thereof. It shall include the ground and the building erected on it.

Temporary Housing: The House provided by the Ministry on a temporary basis in accordance with the provisions of this Decision.

Housing Renovation: Repairing an existing House or making any additions to it.

Residential Land: The Land that is allocated in accordance with the provisions of this Decision.

Social Housing Financing Program / Program: The Housing Service represented by the subsidy provided by the Ministry through the Beneficiary of the Program obtaining Bank Finance from the Participating Bank from the private sector, and paying 25% of his income as a monthly instalment, while the government, through the Ministry, shall be committed to providing government financial support covering the remaining value of the monthly instalments with the Participating Bank in accordance with the provisions of this Decision.

Accredited Real Estate Developer: Each private sector company working in real estate development and is accredited by the Ministry.

Participating Bank: Each of the commercial banks accredited by the Ministry to provide financing to housing Applicants wishing to benefit from the Social Housing Financing Program.

Qualification Certificate: The Certificate granted by the Ministry to the Applicant to benefit from the Program, which indicates his qualification to apply to the Participating Bank.

Housing Certificate: The Certificate granted by the Ministry to the Applicant to benefit from the Program, including the approval to purchase Housing.

**Financial Support** **Certificate:** The Certificate granted by the Ministry to the Applicant to benefit from the Program, including the final approval to obtain Finance from the Participating Bank according to the subsidy issued by a Decision of the Minister.

Real estates: Everything that is settled in its fixed space and cannot be moved without damage or change in its form, existing within certain borders, location and area, and is owned by one person or persons in common without separating one part from all other parts separating from a public or private Property or without a part of it or over it shall have rights that the other parts or over it do not.

**Common Parts:** The Common Parts of the building that are intended for common use or benefit for all or some of the Beneficiaries, which facilitates the use of the private or separated parts.

Benefit Allocated Areas: The parts adjacent to the building containing the Housing and which do not fall within the divided or common property of the Beneficiary, and are designated for the benefit, such as the parking spaces designated for the Beneficiaries from a Housing.

Beneficiaries **Union System:** A system aiming to ensure good use and management of the building, the use and maintenance of the common parts by the Beneficiaries in accordance with the provisions of this Decision.

Beneficiaries Union: The Union that is established by a number of members who are elected by the apartment Beneficiaries in the application of the Beneficiaries Union System.

Islamic Financing Forms: Forms of Finance subject to the provisions of Islamic Sharia’a and are applicable to Islamic financial institutions.

Permanent Residence: Continuous residence from the time of submitting the Request to the Allocation. The Family shall be considered to be resident in the Kingdom of Bahrain if its stay outside of it does not exceed 90 consecutive days, excluding periods spent outside the Kingdom of Bahrain for any of the following reasons:

1) Work for a Bahraini government agency or deputation to work for foreign governments, regional or international organizations, or for companies registered inside the Kingdom of Bahrain.

2) Study or training.

3) Other reasons accustomed by the Ministry, according to the discretion of the Housing Committee.

**Year:**Gregorian.

**Article (2)**

The Housing System shall aim at achieving the objectives of the Constitution of the Kingdom of Bahrain of providing housing for families with low income through providing Housing Services.

**Article (3)**

The Family shall consist of one of the following categories:

First category: husbands, wives, and Children, if any, taking into account that polygamy shall be given only one Housing Service.

Second category: one of the parents with one or Bahraini under-age Children. This shall include Families of Bahraini wives of expatriates with one or more under-age Bahraini Children.

Third category: twenty-one (21) year-old single Child living with both or one of his Bahraini parents, according to the following:

1) That none of his parents have previously used a Housing Service.

2) The choice of this Child shall be in accordance with the will and choice of the parents or one of them.

3) This choice shall deprive the Child and parents of applying for another Housing Service, which shall not apply to other Children when they meet the conditions for forming a Family within the families that are eligible for Housing Service.

4) The Child Applicant may withdraw prior to the Allocation, to be replaced by another Child who meets the same conditions, for one time only.

5) In the case of the marriage of the Child Applicant, the wife, husband, and Children - if any - shall be included in the members of this Family.

Fourth category: twenty-one (21) year-old orphan Child with one or more under-age sisters or brothers, chosen upon mutual agreement of his other siblings of twenty-one (21) years old -if any-. This category shall be provided with the Housing Service at the discretion of the Housing Committee.

Fifth category: women who are divorced, abandoned, widows with no or more Children, or single orphaned. This category shall be only provided with the Temporary Housing at the discretion of the Housing Committee.

**Article (4)**

The Head of the Family for the aforementioned categories in Article (3) of this Decision shall be determined according to the following criteria:

First category: The Bahraini husband or wife with the consent of the husband or both of them with an agreement between them.

Second category: One of the parents or the Bahraini wife.

Third category: The Child selected according to the provisions of this category.

Fourth category: Twenty-one (21) year-old Child.

Fifth category: Women that are divorced, abandoned, widowed or single.

**Chapter Two**

**Ownership**

**Article (5)**

For the approval of a housing Request through ownership or Allocation, the Applicant shall meet the following conditions:

1) Shall be of Bahraini nationality.

2) Shall be the Head of the Family.

3) At the submission of the Request, the Applicant shall not be less than (21) years and not more than (50) years.

4) At the submission of the Request, his monthly Income shall not exceed nine-hundred Bahraini Dinars and not exceed one-thousand two-hundred Bahraini Dinars upon Allocation.

5) He or any of his Family members shall not have previously obtained any Housing Service for the purpose of owning a House provided by the government or any other party.

6) At the submission of the Request, he or any member of his Family shall not be the owner of a Property for three years prior to that and until the Allocation. It shall be considered in the ruling of the owner who benefited from Housing through one of the forms of Islamic Financing, the following shall be excluded from the condition of non-ownership:

a) Ownership of a Property whose area is less than 100 square meters, provided that it shall not be suitable for housing or building a House.

B) The wife's ownership of a Property acquired by inheritance.

7) His Family are permanent residents of the Kingdom of Bahrain.

**Article (6)**

If the Applicant of an Allocation or one of his Family members are disabled, he shall specify the disability upon the submission of the Request until the Ministry -at the discretion of the Housing Committee- prepares the House according to what is proportional to the type of the disability.

**Article (7)**

The Allocation of the House shall entail the enabling of the Beneficiary in preparation for the transfer of his Ownership to him at the end of the period in accordance with the provisions of this Decision.

**Article (8)**

Ownership of a House shall be registered in the case of Ownership, according to the following:

**First: First category:**

a) In the name of the Bahraini husband or wife/wives, as the case may be, if one of them has paid the instalments on his own.

b) In the name of the Bahraini wife, husband and wife or wives, as the case may be, in any of the following cases:

1) If the husband wishes so, in this case the wife shall not be required to pay the instalments.

2) If the husband participated with his wife/wives in the payment of the instalments, in this case the House shall be commonly registered with the portion of contribution of each of them.

**Second:** For the second category, in the name of the Bahraini father, mother or wife, as the case may be.

**Third**: For the third category, in the name of the Child selected in accordance with Article (3) of this Decision, who has paid the determined amount of instalments, with his pledge of housing his parents with him for their lifetimes.

**Fourth:** For the fourth category, in the name of the Child.

**Article (9)**

The Beneficiary shall not be allowed to perform the following:

1) Leasing or waiving of the whole House or part of it in any way, selling or arranging any real right over it, or using it for any purpose other than housing, except after the lapse of seven years from the date of owning the House, and obtaining the approval of the Administration.

2) Placing inside the House or near the roofs explosives, inflammable, dangerous or harmful materials to public health.

3) Any act that may threaten the safety of the House or the Beneficiaries in the neighbouring Houses.

4) Making any changes in the building of the House or its appurtenances, devices or installations of gas, electricity or water in violation of the regulatory requirements approved by the competent authorities.

5) Installing or allowing the installation of equipment or towers for telecommunications companies or others in the building or roof of the House.

6) Placing any banner, advertisement, or painting on one of the House’s exterior walls, common parts, or areas designated for utility, except with the written approval of the Department.

**Article (10)**

The Allocation by using the House shall be revoked for the Beneficiary in any of the following cases:

1) If his Bahraini nationality was lost, removed or revoked in accordance with the provisions of the Bahraini Nationality Law.

2) If he defaults from paying the instalments due for six consecutive months, without a reason acceptable by the Department.

3) If the data he acknowledged to be true in the benefit Request or in the documents he submitted are totally or partially in contradiction to the truth, or if he conceals data or documents that he was required to submit at the time of submitting the Request, and those data or documents were a reason for granting him the Allocation.

4) If the House is used to conduct acts contrary to public order and morals, and this is proven by a final judgement.

5) If the Beneficiary fails to receive the House for more than six months after receiving a written notification to sign the contract and take delivery and if he defaults to reside in the House for more than six months after receiving it, without a reason acceptable by the Department.

6) If he refuses to hand over the Temporary Housing as set out in Article (23) of this Decision.

7) If he refuses to sign the apartment Beneficiaries Union System contract or violates its conditions and provisions.

8) If he was sentenced by a final judgement in one of the crimes stipulated in Law No. (58) of 2006 regarding the Protection of Society from Terrorist Acts.

9) If he performs any of the actions mentioned in Article (9) of this Decision and did not rectify the violation within one month after receiving a written notification.

10) If he wishes to stop benefiting from the House.

**Article (11)**

In case one of the cases presented in Article (10) of this Decision is available, the Minister shall issue a Decision revoking the Allocation to benefit upon the recommendation of the Administration. The Ministry shall recover the House after a written notification to the Beneficiary of a deadline for evacuation of a maximum of three months.

**Article (12)**

After the Decision of revoking the Allocation and recovering the Housing is issued, the following shall entail:

1- The demise of the Beneficiary’s right to housing.

2- The Beneficiary’s compliance with paying his all instalments due for the benefit until the evacuation date.

3- The paid instalments shall not be claimed in whole or in part.

4- Retention by the Ministry of its right to claim compensation for any damage to the House.

5- The Beneficiary shall not be entitled to claim any compensation from the Ministry for the additions and improvements he made to the House.

6- The Beneficiary shall not be eligible to apply for another Housing Service for a period of one year.

**Article (13)**

The Beneficiary of the House shall undertake to:

1- Carry out complementary maintenance work for the building in accordance with the principles and procedures set forth in the maintenance manual approved by the Ministry.

2- Use the common parts and areas designated for the benefit according to what they were intended for and taking into account the rights of other Beneficiaries, in accordance with the provisions set forth in this Decision and the controls issued by the Ministry in this regard.

3- Notify the Ministry of every matter that requires its intervention, and allow its delegates to enter the Housing at appropriate times for inspection and not prevent any repairs deemed necessary by the Ministry.

**Article (14)**

Subject to the provisions of the apartment Beneficiaries Union System, the Beneficiary shall have the right to benefit from the services of public facilities in accordance with the regulations of the authorities responsible for such facilities.

**Article (15)**

Subject to the provisions of the apartment Beneficiaries Union System, The Ministry shall carry out the necessary renovations to the House and its walls during the instalment payment period, whenever it is proved that these renovations are of a constructural nature related to the design or implementation of the building structure, and provided that the damages were not caused by the Beneficiary.

**Article (16)**

Subject to the provision of Article (15) of this Decision, the maintenance and renovation of the common walls between more than one Housing shall be a shared liability between neighbours. This liability shall be determined in accordance with general legal rules and with the apartment Beneficiaries Union System.

**Article (17)**

The Bank shall insure the Housing against fire with one of the accredited insurance companies during the period of paying the instalments due. The Beneficiary shall abide to pay the value of the amounts due for the insurance, according to the payment procedures used by the Bank.

**Article (18)**

The Minister, by a Decision issued by himself, shall issue the following contract models:

1- House ownership contract.

2- Apartment ownership contract.

3- Final apartment sale contract.

4- Apartment Beneficiaries Union System contract.

**Chapter Three**

**Temporary Housing “Leasing”**

**Article (19)**

The ownership provisions set forth in this Decision shall apply to Temporary Housing “leasing” in a manner that does not contradict the nature of this Decision.

**Article (20)**

The Applicant for a Temporary Housing Request shall meet the following:

1- Shall have an existing Housing Service Request.

2- His monthly Income when submitting the Request and Allocation shall not exceed six-hundred Bahraini Dinars.

3- His Request shall be approved by the Housing Committee.

**Article (21)**

The Beneficiary of Temporary Housing shall comply with paying one-hundred Bahraini Dinars as insurance upon signing the lease contract. This amount shall be deposited with the Bank as a guarantee for repairing the damages caused by the Beneficiary during his use of the House. The costs of repairing damages shall be deducted from the insurance amount based on the report of the Department in the Ministry concerned with projects. Exemption may be made from paying this amount by a Decision of the Minister, subject to the discretion of the Housing Committee.

This amount or the remainder of it shall be returned after handing over the Temporary Housing.

**Article (22)**

The Beneficiary of Temporary Housing shall comply with paying one-hundred Bahraini Dinars monthly for benefiting. This amount shall be deducted from the housing allowance if it is due to him.

**Article (23)**

The Beneficiary shall comply with returning the Temporary Housing to the Ministry as it was the time of the receipt and as follows:

1- Within three months of owning a Property.

2- Within three months of disbursement the purchase Finance.

3- Within three months of completing building, or eighteen months from receiving building Finance, whichever is earlier.

4- Within three months of completing the Residential Land, or four years from signing the benefiting contract, whichever is earlier.

**Article (24)**

In case one of the cases presented in Article (10) of this Decision is available, the Minister shall issue a Decision revoking the Allocation to benefit from the Temporary Housing upon the recommendation of the Administration. The Ministry shall recover the House after a written notification to the Beneficiary of a deadline for evacuation of a maximum of three months.

**Article (25)**

The Minister, by a Decision issued by himself, shall issue a model for the “leasing” of Temporary Housing.

**Chapter Four**

**Finance**

**Article (26)**

Finance shall be allocated for the following purposes:

1- Purchasing Housing.

2- Building Housing.

3- Housing Renovation.

**Article (27)**

For the approval of the purchase or building Finance Request and allocating a House, the Applicant shall meet the following conditions:

1) Shall be of Bahraini nationality.

2) Shall be the Head of the Family.

3) At the submission of the Request, the Applicant shall not be less than (21) years and not more than (50) years.

4) At the submission of the Request and Allocation, his monthly Income shall not be less than three-hundred and twenty Bahraini Dinars and not exceed one-thousand two-hundred Bahraini Dinars.

5) He or any of his Family members shall not have previously obtained any Housing Service for the purpose of owning Housing provided by the government or any other party.

6) In the case of a building Finance, it shall be proven that he or one of his Family members owns a suitable residential space, free from any legal dispute.

7) Subject to the provisions of Clause (6) hereof, at the submission of the Request, he or any member of his Family shall not be the owners of a Property for three years prior to that and until the Allocation. It shall be considered in the ruling of the owner who benefited from a House through one of the forms of Islamic Financing, and the following shall be excluded from the condition of non-ownership:

a) Cases where obtaining Finance is in the purpose of paying off the debt to commercial banks of purchasing or building the Property owned by the Applicant.

b) Ownership of a Property whose area is less than 100 square meters, provided that it shall not be suitable for housing or building a House.

c) The wife's ownership of a Property acquired by inheritance.

8) His Family are permanent residents of the Kingdom of Bahrain.

**Article (28)**

The amount of a purchase or building Finance shall be determined according to the monthly Income of the Applicant -and according to the Finance schedule prepared by the Ministry-, provided that the amount of the Finance shall not exceed sixty-thousand Bahraini Dinars.

**Article (29)**

For the approval of the renovation Finance Request and its Allocation, the Applicant shall meet the following conditions:

1) Shall be of Bahraini nationality.

2) Shall be the Head of the Family.

3) At the submission of the Request, the Applicant shall not be less than (21) years and not more than (60) years.

4) At the submission of the Request and Allocation, his monthly Income shall not be less than one-hundred and twenty Bahraini Dinars and not exceed one-thousand two-hundred Bahraini Dinars.

5) That a period of ten years shall have passed from the time he or any of his Family members have obtained any Housing Service for the purpose of owning a House provided by the government or any other party.

6) At the submission of the Request, the Applicant or at least one of his Family members shall own at least a share of the House to be renovated as the only House owned by the Family, and he or one of his Family members shall not be the owners of a Property at the submission of the Request and for three years prior to that and until the Allocation. It shall be considered in the ruling of the owner who benefited from a House through one of the forms of Islamic Financing, and the following shall be excluded from the condition of non-ownership:

a) Ownership of a Property whose area is less than 100 square meters, provided that it shall not be suitable for housing or building a House.

B) The wife's ownership of a Property acquired by inheritance.

7) In case the Applicant has benefited before from a Housing Service by the Ministry, he shall be regular in paying his instalments, and shall have no debt payable to the Bank of more than three months.

8) His Family are permanent residents of the Kingdom of Bahrain.

9) The Applicant shall not have benefited before from Housing Renovation Finance.

**Article (30)**

The amount of a renovation Finance shall be determined according to the Applicant’s monthly Income and the Ministry’s evaluation of the required renovations and additions based on the minimum technical requirements for the House according to the Family’s need, whichever is less, and according to the Finance schedule prepared by the Ministry. The amount of Finance shall not exceed twenty-thousand Bahraini Dinars.

**Article (31)**

A period of time shall be specified for paying the renovation Finance that does not exceed fifteen years and shall not be related to the period of repayment of the original Finance.

**Article (32)**

The husband and wife may submit a joint Request to benefit from one of the types of Finance when they fulfil the conditions, according to the following provisions:

1) The Beneficiary shall have the right to include their spouse for the Request within six months from the date of allocating the Finance.

2) At the submission of the Request, the total monthly Income of the couple and when allocating shall not be less than three-hundred and twenty Bahraini Dinars, and not more than one-thousand and two-hundred Bahraini Dinars in the case of building and purchase Finance, and not less than one-hundred and twenty Bahraini Dinars and not more than one-thousand and two-hundred Bahraini Dinars in the case of the renovation Finance.

3) In the case of building Finance, the ownership of the land to be used for building shall be registered in the name of the husband or wife or in their names together. In the case of purchase or renovation Finance, the ownership of the Property shall be registered in the name of the spouses together unless they agree to register it in the name of one of them.

4) The monthly instalments shall be paid by both spouses according to the instalment determined for each of them according to the value of the Finance, or as they agree.

**Article (33)**

The Beneficiary of Finance shall comply with the Financing System authorized by the Bank and with any future amendments.

**Article (34)**

The Bank shall have the right to stop the disbursement of Finance to the in the following cases:

1- If the Beneficiary loses one of the eligibility conditions for the Finance service prior to receiving it.

2- The Beneficiary’s abuse of the Finance, misusing it, or his non-compliance with the building as authorized in the licenses required for building and renovation Finance.

3- If he does not complete the contracting procedures for receiving Finance according to the Financing System, within one year from the date of allocating the Finance.

In the event that the Bank suspends the disbursement of Finance, it shall notify the Ministry to issue a Ministerial Decision to revoke the Allocation of Finance if it is proven that any of the previous cases have been achieved, and that the Beneficiary has not corrected the violating situation within one month from the date of being notified in writing of that.

**Article (35)**

The Beneficiary of Finance shall not:

1- Lease or waive the whole Housing or part of it in any way, sell or arrange any right in rem over it for any purpose other than the Financing System, except after paying all the dues from the Finance to the Bank.

2- Perform or allow any act that threatens the safety of the Housing.

**Article (36)**

In case one of the cases presented in Article (35) of this Decision is available, the Bank shall have the right to take the necessary measures against the Beneficiary in accordance with his Financing System.

**Article (37)**

The Bank may transfer the allocated Finance from one type to another, with a notification to the Ministry, in the following two cases:

1- Transferring the purchase Finance to building Finance after proving that the Beneficiary or a member of his Family owns a residential land.

2- Transferring the building Finance into the purchase Finance after it is proven that the ownership of the land to be built has been transferred to others through sale.

**Article (38)**

Disbursement of Finance shall not take place in the following cases:

1- Building or purchasing a House in the form of apartments, unless the purpose is to provide housing for the Children of the Beneficiary.

2- Building a House on a land other than the one the Beneficiary submitted to obtain a building Finance for, unless he submits proof of sale of the first land.

**Article (39)**

Disbursement of purchase Finance shall not take place in the following cases:

1- To purchase Housing previously owned by the Beneficiary himself and who donated it to one of his relatives.

2- To purchase Housing that is leased or inhabited by the owner, except after it has been completely evacuated of its previous tenants.

**Chapter Five**

**Social Housing Financing Program**

**Article (40)**

Obtaining the Housing Service through the Social Housing Financing Program shall be based on a Request submitted to benefit from the Program in accordance with the provisions set forth in this Chapter of the Decision.

**Article (41)**

The following categories shall benefit from the Social Housing Financing Program:

1- Whoever has an existing Housing Request for any type of the Housing Service in accordance with the provisions of this Decision, provided that other requirements set forth in Article (42) of this Decision shall be provided.

2- Whoever meets the requirements to benefit from the Program as set out in Article (42) of this Decision.

**Article (42)**

For the approval of the Program Request, the Applicant shall meet the following conditions:

1) Shall be of Bahraini nationality.

2) Shall be the Head of the Family.

3) At the submission of the Request and the disbursement of Finance from the Participating Bank, the Applicant shall not be less than (21) years and not more than (35) years.

4) At the submission of the Request and the disbursement of Finance from the Participating Bank, his monthly Income shall not be less than six-hundred Bahraini Dinars and not exceed one-thousand two-hundred Bahraini Dinars.

5) He or any of his Family members shall not have previously obtained any Housing Service for the purpose of owning Housing provided by the government or any other party.

6) At the submission of the Request, he or any member of his Family shall not be the owner of a Property for three years prior to that and until the Allocation. It shall be considered in the ruling of the owner who benefited from Housing through one of the forms of Islamic Financing, the following shall be excluded from the condition of non-ownership:

a) Ownership of a Property whose area is less than 100 square meters, provided that it shall not be suitable for housing or building Housing.

B) The wife's ownership of a Property acquired by inheritance.

7) His Family are permanent residents of the Kingdom of Bahrain.

**Article (43)**

The Request to benefit from the Program shall be submitted on the model prepared by the Ministry and according to the following:

1) In case there is an existing Request, the Applicant shall attach to the Request the following documents:

a) An updated salary certificate from his employer.

b) Bank statement of three months.

c) Copy of the ID card.

2) In case there is not an existing Request, the Request to benefit from the Social Housing Financing Program shall be submitted attached with the documents specified in Clause (1) of this Article.

In all cases, the Applicant shall sign the necessary declarations and pledges in order to benefit from the Program.

**Article (44)**

The Ministry shall grant the Applicant a qualification certificate after meeting the conditions and requirements set forth in Articles (42) and (43) of this Decision.

**Article (45)**

The Applicant, and under the Qualification Certificate, shall have the right to submit a Request to benefit from a purchase Finance from one of the Participating Banks, in accordance with the following controls:

1- The maximum Finance from the Participating Bank shall not exceed 81,000 Bahraini Dinars, provided that the Applicant shall pay no less than 10% of the value of the Housing to be purchased as an initial payment, unless otherwise agreed between the Ministry and the Participating Bank.

2- The Participating Bank shall notify the Applicant in writing of the approval to grant him Finance.

3- The Beneficiary of the Program shall be obliged to pay 25% of his Income monthly in order to pay the instalment due to the Participating Bank over a period of 25 years.

4- The Ministry shall pay the remainder of the value of the instalment due to the Participating Bank, and that shall be in excess of the 25% that shall be paid by the Beneficiary throughout the Finance repayment period up to 25 years.

5- The Finance repayment period may be less than 25 years, in agreement between the Ministry and the Participating Bank.

6- Subject to Clause (4) of this Article, the Beneficiary of the Program shall be obliged to fulfil all the obligations arising from his contract with the Participating Bank without any responsibility on the part of the Ministry.

7- The Beneficiary of the Program, in the event of early retirement, shall be obliged to pay 25% of his last Income prior to retirement.

8- The Ministry, in coordination with Eskan Bank, and according to the mechanism agreed upon, shall pay the subsidy that the Ministry shall adhere to, as stipulated in Clause (4) of this Article.

**Article (46)**

The Applicant may choose existing Housing built by one of the accredited Real Estate Developers or from others, provided that it shall be approved by the Ministry and shall meet the following criteria:

1- The Housing shall be newly built or something less than that, provided that it shall be habitable for the next 25 years, according to the assessment of the Ministry’s specialists.

2- The construction of the Housing shall comply with the regulatory requirements for construction in the various regions of the Kingdom.

3- The Housing shall be habitable from the date of its purchase and connected to the necessary infrastructure such as electricity, water and sanitary facilities.

4- The price of the Housing shall not exceed the specified value of the program, which amounts to 90,000 Bahraini Dinars, unless the Administration agrees to specify a higher value, provided that the Beneficiary shall comply to bear the responsibility of paying the difference between the value set for the Program and the value of the Housing solely towards the Participating Bank.

**Article (47)**

After the Applicant chooses Housing that meets the controls stipulated in Article (46) of this Decision, and based on the field report prepared by the concerned persons in the Ministry, the Ministry shall grant him a Housing Certificate.

**Article (48)**

After the completion of the procedures and controls stipulated in Articles (45) and (46) of this Decision, the Ministry shall grant the Applicant a Financial Support Certificate, according to which the Beneficiary may initiate the contracting procedures with the Participating Bank, and complete the procedures for purchasing Housing.

**Article (49)**

The Ministry shall have the right to stop the disbursement of Finance in several cases:

1- Based on the notification of the Participating Bank concerning the Beneficiary’s failure to pay the monthly instalment that he is committed to towards this Bank.

2- The Beneficiary’s violation of the contract concluded between him and the Ministry regarding the subsidy Allocation.

**Article (50)**

The Ministry shall cease the disbursement of the housing allowance in the same month the Finance is disbursed to the Program Beneficiary.

**Article (51)**

The salaries of the Beneficiaries of the Program shall be subject to a periodic evaluation every two years to re-determine the financial support provided by the Ministry.

**Article (52)**

Real Estate Developers who meet the following criteria shall be allowed to participate in the Program:

1- The Real Estate Developer shall be an existing company in the Kingdom.

2- To provide audited financial reports of the last three fiscal years.

3- To be a Developer with experience in the field of real estate development.

4- Any other criteria adapted by the Ministry.

**Article (53)**

The Minister, by a Decision issued by himself and in accordance with the provisions of this Decision, shall issue a model for the benefit contract of the Social Housing Financing Program.

**Chapter Six**

**Residential Lands**

**Article (54)**

The approval of the Residential Land Request and its Allocation, the Applicant shall meet the following conditions:

1) Shall be of Bahraini nationality.

2) Shall be the Head of the Family.

3) At the submission of the Request, the Applicant shall not be less than (21) years and not more than (50) years.

4) At the submission of the Request and Allocation, his monthly Income shall not be less than eight-hundred Bahraini Dinars and not exceed one-thousand five-hundred Bahraini Dinars.

5) He or any of his Family members shall not have previously obtained any Housing Service for the purpose of owning Housing provided by the government or any other party.

6) At the submission of the Request, he or any member of his Family shall not be the owner of a Property for three years prior to that and until the Allocation. It shall be considered in the ruling of the owner who benefited from Housing through one of the forms of Islamic Financing, the following shall be excluded from the condition of non-ownership:

a) Ownership of a Property whose area is less than 100 square meters, provided that it shall not be suitable for housing or building a House.

B) The wife's ownership of a Property acquired by inheritance.

7) His Family are permanent residents of the Kingdom of Bahrain.

**Article (55)**

The Beneficiary of the Residential Land shall comply with the following:

1- Starting building within two non-renewable years from the date of receiving the Residential Land.

2- To complete building within four years from the date of receiving the Land.

3- Residing with his Family in the House built on the Land.

4- Handing over the Temporary Housing as set forth in Article (23) of this Decision.

**Article (56)**

A document of ownership of the Residential Land shall be issued and registered in the name of the Beneficiary when he complies with the provisions of Article (55) of this Decision.

**Article (57)**

The Beneficiary of the Residential Land shall not do the following:

1- Dispose of it or the building erected on it in a way that transfers ownership, except after the lapse of ten years from the date of ownership and obtaining the approval of the Ministry.

2- Lease it or allow others to use it or part of it in any way except after obtaining the approval of the Ministry.

**Article (58)**

The Ministry shall have the right to review the drawings and specifications for building on the Residential Land, and it may specify the conditions and specifications that the Beneficiary shall adhere to in building, in accordance with the regulatory requirements for construction applicable in the Kingdom.

**Article (59)**

The Allocation to benefit from the Residential Land to the Beneficiary shall be revoked in any of the following cases:

1- If his Bahraini nationality was lost, removed or revoked in accordance with the provisions of the Bahraini Nationality Law.

2- If the data he acknowledged to be true in the benefit Request or in the documents he submitted are totally or partially in contradiction to the truth, or if he conceals data or documents that he was required to submit at the time of submitting the Request, and those data or documents were a reason for granting him the Allocation.

3- If he defaults from receiving the Residential Land for more than six months after receiving a written notification to sign the contract.

4- If he does not initiate or complete the building on the Land within the set time frame.

5- If he uses the Residential Land for a purpose other than building Housing.

6- If he violates the drawings and specifications stipulated by the Ministry.

7- If he refuses to hand over the Temporary Housing as described in Article (23) of this Decision.

8- If he was sentenced by a final judgement in one of the crimes stipulated in Law No. (58) of 2006 regarding the Protection of Society from Terrorist Acts.

9- If he wishes to stop benefiting and hand over the Residential Land to the Ministry.

**Article (60)**

In case one of the cases presented in Article (59) of this Decision is available, the Minister shall issue a Decision revoking the Allocation to benefit from the Residential Land upon the recommendation of the competent Department. The Ministry shall recover the Land after a written notification to the Beneficiary of a deadline for evacuation of a maximum of three months.

If a building is erected on the Residential Land, the Ministry shall compensate the Beneficiary for the value of the conducted works, at the estimation of the Department responsible for projects, minus any expenses that may be due to the Ministry.

**Article (61)**

The Minister, by a Decision issued by himself, shall issue a model for the Residential Land contract.

**Chapter Seven**

**General Provisions**

**Article (62)**

Except for the renovation Finance in accordance with the controls referred to in Article (29) of this Decision - it shall not be permissible to allocate more than one Housing Service to one Beneficiary.

**Article (63)**

The Request to benefit from the Housing Service shall be submitted on a special form according to the models prepared by the Department. The Requests that fulfil the conditions shall be listed according to the priority of their submission in a special register prepared for this purpose.

The Applicant shall be obliged to inform the Ministry of any change that may occur in the data and documents related to the Request during the period from the date of the submission of the Request until the date of allocating the Housing Service.

**Article (64)**

The Housing Service Request shall be submitted through the e-portal or directly to the Ministry or its representatives. The Request shall not be considered complete unless the Applicant enters all the data, attaches all the required documents, agrees to all declarations and pledges, and receives proof of the submission of the Request.

**Article (65)**

The following documents shall be attached with the Housing Service Request:

1- Copies of the passports of the Applicant and his Family members.

2- A copy of the marriage certificate.

3- An official certificate of the Properties owned by the Applicant and his Family members.

4- The original monthly Income certificate of the Applicant, provided that its issuance date shall not exceed one month prior to the date of the submission of the Request.

5- Copies of birth certificates of the Applicant and his Family members.

6- A copy of the death certificate and the lawful share in inheritance, when required.

7- A copy of the divorce document and proof of custody, when required.

8- A copy of the land title deed, in the event of a building Finance Request.

9- A copy of the contract of benefit from a House or a Residential Land or the Property ownership document, in the event of a renovation Finance Request.

10- Any additional documents or information requested by the Ministry.

**Article (66)**

Income of the Applicant for the Housing Service shall be calculated according to the following:

1- Employees in the government and private sectors who earn Incomes divided into “basic Income, bonuses and allowances.” The basic Income shall be calculated in addition to the fixed allowances.

2- Employees in the private sector who receive comprehensive Income, this latter shall be calculated.

3- If he receives a periodic Income that shall not be specified by the month “daily, weekly, etc.,”, his Income shall be calculated on the basis of the month.

4- The Income registered with the Social Insurance Organization shall be calculated if the Applicant is registered with it, unless the Income stated in the Income certificate is higher than the one stated at the authority, in which case the Income stated in the Income certificate shall be relied upon.

5- If he is self-employed, the Income registered with the Social Insurance Organization shall be calculated if the Applicant is registered with it. If he is not covered by insurance, other documents may be individually or collectively considered, such as the Income certificate, a notarized declaration, a certificate from a financial auditor, a statement of a bank account or any other data or documents approved by the competent Administration.

6- For employees outside the Kingdom of Bahrain who are not covered by insurance, Income certificates may be approved if they are attested by the concerned authorities and accompanied by any other documents approved by the competent Administration.

7- For retirees, the amount of the retirement pension shall be approved.

8- For those who earn more than one Income, the total of these Incomes shall be calculated together.

9- Any other periodic returns received by the Applicant, such as investment returns.

**Article (67)**

In the case of the Applicant being the wife or the couple with mutual agreement, both of their Incomes shall not exceed the maximum amount set out to benefit from the desired Housing Service.

**Article (68)**

Without prejudice to criminal liability, the Request submitted for a Housing Service shall be considered null and void, and the Applicant shall be prohibited from submitting a new Request for a period of one year, in the event that the Request includes incorrect information or data, forged documents or the Applicant conceals data, which was a reason for accepting his Request.

**Article (69)**

The Ministry shall issue a Decision to revoke the Housing Service Request in the event that the Applicant loses any of the conditions for obtaining the Housing Service.

With the exception of the condition of Bahraini nationality, the one whose Request is revoked under the previous Paragraph shall have the right to apply to the Ministry to return his Request to the register of Requests that fulfilled the conditions, within two years from the date of revoking the Request.

**Article (70)**

The criteria related to the Income and age of the Applicant for the Housing Service shall apply when submitting the Request, provided that his monthly Income when allocating the Service shall not exceed the maximum monthly Income allowed for each Housing Service.

**Article (71)**

The Applicant shall have the right to change the type of the Service according to the following:

1- That the change shall be limited to only those who have an existing Housing Service or Residential Land Request.

2- That the change shall be for one time only.

3- That he shall meet the conditions for accepting the Service Request to which he wants to change.

4- The seniority of the Request shall be calculated after changing its type by deducting two years from the seniority of the existing Request.

5- If the seniority of the Request to be changed is less than two years, the seniority shall be calculated from the date of submitting the Request for change.

**Article (72)**

A decision shall be issued by the Minister to Allocate the Housing Service to the Beneficiary, this latter shall sign the contract prepared for that purpose prior to receiving the Service, and abide by all the provisions contained therein. The Beneficiary of the apartments shall also be obliged to sign the Beneficiaries Union System for benefiting from the apartments.

**Article (73)**

The Bank shall open an account for the Housing Service prior to handing it over to the Beneficiary, according to the systems and procedures agreed upon between the Ministry and the Bank.

**Article (74)**

The Beneficiary shall pay the monthly instalments to the Bank, according to the system for collecting monthly instalments and rents incurred by the designated Housing Service approved by the Bank.

**Article (75)**

The Beneficiary shall be granted a grace period of six months to pay the Bank the instalments due for the Housing Service, starting from the date of opening the account with the Bank.

**Article (76)**

The amount of the monthly instalment for the Housing Service shall be calculated in proportion to the payment period, provided that the monthly instalment shall not exceed 25% of the monthly Income of the Head of the Family.

**Article (77)**

The Family of the deceased Beneficiary shall be exempted from all amounts owed by the deceased for the Housing Service in the following two cases:

1- If he leaves behind a widow and one or more minor Children.

2- If he leaves behind one or more minor Children.

The ownership of the House shall be registered in the name of the Family of the deceased.

**Article (78)**

The Minister -and upon the recommendation of the Housing Committee- may postpone or reduce the payment of instalments or monthly rents due for the Beneficiary of a Housing Service for a period not exceeding two years, or for the disappearance of the reason for which the postponement or reduction is made, whichever is earlier, if one of the following reasons is available:

1- The Beneficiary loses his job or work.

2- Urgent expenses due to a sudden illness of the Beneficiary or a member of his Family in a way that hinders the payment of the monthly instalments.

3- The Beneficiary’s Income is affected by natural or emergency disasters, such as the destruction of his Property by fire, floods, or the collapse of his House, and so on.

4- The decrease in the Income of the self-employed Beneficiary due to bankruptcy or the liquidation of his business and commercial projects.

5- Any other circumstances determined by the Minister that require postponement or reduction.

In all cases, the decision issued for postponement or reduction shall not affect the full amount due from the Beneficiary.

**Article (79)**

Subject to the provisions of entitlement to the Housing Service stipulated in this Decision, the criterion of seniority of the Request shall be adopted in the matter of allocating the ownership Service primarily in any location. The Ministry may be guided by the following criteria:

1- The place of residence of the Applicant's parents and grandparents.

2- The place of residence of the Applicant at the time of Allocation, his previous residences, and the number of years he lived there, in accordance with the data recorded in the Central Information Organization.

3- The location of the housing project.

4- The place of residence of the Applicant's husband's parents and grandparents.

5- The Applicant's registered desire for his Request at the time of submitting or at a later time.

6- Any criteria related to the circumstances of the Applicant, as estimated by the Minister.

**Article (80)**

The Ministry may rely on one or more of any of the criteria referred to in Article (79) of this Decision in selecting the location of the House to be allocated, and it may verify what it deems appropriate to ensure that the criteria referred to are applicable.

**Article (81)**

Subject to the provisions of eligibility for the Housing Service set forth in this Decision, the criteria of seniority of the Request regarding the Allocation of Housing Services shall mainly be adopted. The Minister -after taking the opinion of the Housing Committee- may expedite the Allocation in view of the following considerations:

1- The number of Family members.

2- The financial situation of the Head of the Family and the rest of its members.

3- The health status of the Head of the Family or any of his Family members.

4- The current living conditions of the Head of the Family and his Family.

5- The date of submitting the Housing Service Request.

6- The location of the House.

7- Other special circumstances of the Applicant or any of his Family members.

**Article (82)**

The Minister -for special considerations of the Applicant assessed in each case separately by the Housing Committee- may override the requirements related to the Family eligible for the Housing Service, the age and the Income specified within the criteria for eligibility for the Housing Service.

**Article (83)**

In the event of the death of the Applicant Head of the Family, or if he loses any of the conditions for accepting the Request and allocating the Housing Service prior to the Allocation, the Ministry may transfer the Request in the name of one of his Family members, by agreement between them and with his desire, when he constitutes a deserving family in accordance with the provisions of this Decision and provided that the Family is included in the Request.

**Article (84)**

The revocation of the Housing Service Allocation due to a violation attributed to the Beneficiary shall forfeit his right to benefit from any Housing Service for a period not less than one year.

**Article (85)**

In the event of the death of the Head of the Family to whom Housing or a Residential Land has been allocated, or in the event of the revocation of the Service of the Housing or the Land, the Ministry may re-allocate the Housing or the Land in the name of one of his Family members, by agreement between them and with his desire, when he constitutes a deserving family in accordance with the provisions of this Decision, and provided that the Family is included in the Request.

The Housing Service may be re-allocated -in the aforementioned manner- in the event of the death of the Head of the Family to whom one of the Housing Services other than the Housing or the Residential Land has been allocated.

In the event of the death of the Head of the Family for whom a Housing Service has been allocated and his Family does not meet the eligibility conditions, the Minister, upon the recommendation of the Housing Committee, shall issue a Decision regarding the allocated Housing Service.

**Article (86)**

The Minister may, at the discretion of the Housing Committee, re-allocate the revoked Housing Service to the same Beneficiary or a member of his Family, at his request, when he constitutes a deserving family in accordance with the provisions of this Decision, and provided that the Family is included in the Request.

**Article (87)**

1- A housing allowance shall be paid to each Head of a Family to whom a period of five years have passed since the date of submission of the Housing Service Request at the monthly rate of one-hundred Bahraini Dinars.

2- The housing allowance shall be paid to divorced women and widows of the second category from the date of their Request for the Housing Service.

3- The disbursement of the housing allowance shall be immediately suspended after the Request is revoked, or from the date of receiving the Temporary Housing, or after three months have passed from the date of receiving the Housing Service -as the case may be-.

4- Those with deferred Requests, based on their desire, shall not benefit from the housing allowance for the years following the date of their entitlement to the Housing Service they applied for.

**Article (88)**

The Minister, at the discretion of the Housing Committee, may cease providing any of the Ministry's services to the Beneficiary in the event that he violates any of the obligations imposed on him according to this Decision or the contract signed with him.

**Article (89)**

The general provisions set forth in this Chapter of this Decision shall apply on the Social Housing Financing Program in a manner that does not contradict its nature.

**Article (90)**

The Minister shall issue a Decision to set forth the criteria and controls for the application of the ownership if issued regarding Beneficiaries of the Housing Service.

**Article (91)**

The rules and systems set forth for the military personnel of the Bahrain Defence Force, the Ministry of Interior, the National Guard and the National Security Agency regarding their use of the Housing Service shall continue to be enforced.

**Article (92)**

Any provision that contradicts the provisions of this decision shall be nullified.

**Article (93)**

The Undersecretary of the Ministry of Labour shall implement this decision, and it shall come into force from the day following the date of its publication in the Official Gazette.

**Minister of Housing**

**Bassem bin Yakub Al Hamar**

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