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**Published on the website on April 2025**

**Law No. (9) of 2009 Amending Certain Provisions of the Court of Cassation 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,

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

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

The Judicial Authority Law promulgated by Legislative Decree No. (42) of 2002 amended by Law No. (50) of 2006,

And the Criminal Procedure Law promulgated by Legislative Decree No. (46) of 2002 amended by Law No. (41) of 2005,

The Shura Council and the Council of Representatives have approved the following Law, which we have ratified and enacted:

Article One

The text of Article (41) of the Court of Cassation Law promulgated by Legislative Decree No. (8) of 1989 shall be replaced with the following text:

Article (41):

With the exception of judgments involving the death penalty, filing a cassation appeal shall not stay the execution of the contested judgment. However, the Court of Cassation may order a stay of execution pending the outcome of the appeal if such a request is included in the memorandum of appeal grounds and the Court deems it warranted. In all cases, if the Court orders a stay of execution, it may require a guarantee or other measures it finds necessary to prevent the appellant from absconding.

Article Two

A new Article No. (41) bis shall be added to the Court of Cassation Law promulgated by Legislative Decree No. (8) of 1989, with the following text:

Article (41) bis:

Without prejudice to Article (30) of this Law, the court clerk's department shall, after consolidating the case file of the judgment under appeal along with all associated documents, submit the file along with a memorandum of appeal grounds that includes a request for a stay of execution, within seven days from the date of submission of this memorandum to the President of the Court, who shall promptly set a hearing date within no more than thirty days from the date of submission and notify the Public Prosecution of the request for a stay of execution..

If the Court orders the stay of execution, it shall set a hearing date for the appeal within no more than three months from the date of the order.

The court clerk's department shall notify the Public Prosecution, the appellant's attorney, and the other parties of this hearing at least three days prior to the scheduled date.

Article Three

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

Issued at Riffa Palace:

On:

27 Rabi' al-Akhir 1430 AH

Corresponding to:

23 April 2009