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**Law No. (16) of 2020 Amending Some Provisions of Legislative Decree No. (48) of 2012 regarding the Bahrain Chamber of Commerce and Industry**

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

Having reviewed the Constitution;

And Legislative Decree No. (48) of 2012 regarding the Bahrain Chamber of Commerce and Industry;

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

**Article One**

The definition of the (member) contained in Article (1), and in the texts of Articles (3), (27), (32), and (39) of Legislative Decree No. (48) of 2012 regarding the Bahrain Chamber of Commerce and Industry shall be replaced with the following texts:

**Article (1) Definition of Member:**

**Member:**The natural person or legal entity subject to membership in the Chamber by force of law or at his request.

**Article (3):**

The Bahrain Chamber of Commerce and Industry shall be considered a public interest institution based on national economic foundations, representing business sectors, expressing their opinions and protecting their interests, having legal personality enjoying financial and administrative independence, and maintaining a coordinating relationship with the Minister to achieve its objectives.

The Board of Directors, after approval of the General Assembly, shall determine the main headquarters of the Chamber. The Board of Directors may also establish other branches or offices within the Kingdom.

**Article (27):**

In the event that the office of a member of the Board of Directors becomes vacant, for any reason, he shall be replaced by the candidate who ,at the last election, obtained the most votes after the members of the Board, and the new member shall complete the remaining term of his predecessor.

If substitution is not possible, and at least one year of the Board term remains, the Ordinary General Assembly shall be called to convene for the purpose of electing the required member or members to fill the vacant seat.

The Ordinary General Assembly shall be called to elect a new Council if the number of members of the Board is less than half at the invitation of the president, one of his deputies, or the minister in their absence, as the case may be.

**Article (32):**

The President shall open the meetings of the Board of Directors, preside over them, and declare their conclusion. The President shall also announce the decisions of the Board.

The President shall inform the Minister of the decisions and recommendations of the Board within ten working days from the date of issuance of the decision or recommendation. In the event that the Minister finds that any of these decisions or recommendations are outside the jurisdiction of the Chamber or include a violation of the law or a departure from the general policy of the state, he has the right to object to them within fifteen days from the date of his notification of the decision or recommendation and return them to the Chamber, together with the reasons for the objection for re-consideration thereof. If the Chamber insists on its decision or recommendation or includes a new violation, the matter shall be referred to the Council of Ministers to take whatever action it deems appropriate in this regard. The Council, based on the proposal of the President, may take the measures specified by the Implementing Regulation against a member of the Council who violates the order, regulations, and decisions.

**Article (39):**

If the Board of Directors loses its legal quorum and the procedures stipulated in this Law are not taken, or if there are material or administrative circumstances that substantially affect it or prevent the Chamber from carrying out its duties, or if the Board of Directors deviates from the public policy of the state, the Minister - in accordance with the requirements of the public interest - may call for an Extraordinary General Assembly to consider the dissolution of the Board. If the Extraordinary General Assembly does not approve the dissolution, the Minister shall have the right to refer the matter to the Council of Ministers to decide on the dissolution of the Board and appoint a temporary committee to manage the Chamber's affairs until a new Board of Directors is elected.

**Article Two**

The schedule specifying the number of votes held by each member of the Chamber in the vote according to his capital attached to Legislative Decree No. (48) of 2012 regarding the Bahrain Chamber of Commerce and Industry shall be replaced with the schedule attached to this Law.

**Article Three**

A new clause numbered (5) shall be added to Article (2), and new articles numbered (14 bis), (51 bis), and (51 bis 1) shall be added to Legislative Decree No. (48) of 2012 regarding the Bahrain Chamber of Commerce and Industry with the following text:

**Article (2) Clause (5):**

5) The members joining the Chamber's membership voluntarily.

**Article (14 bis):**

Without prejudice to the provisions of Article (32) of this Law, the legal representative shall be prohibited from representing the member of the Chamber - regardless of the number of memberships he represents - by a decision of the majority of members of the Board of Directors based on a recommendation from the Executive Bureau if he commits any act that violates public order and morals or due to his violation of the General Assembly meetings regulations or the Chamber's Law, its Implementing Regulation, regulations, and decisions issued by the Chamber. The member shall be notified of the decision to deprive his legal representative and appoint an alternative legal representative.

The legal representative of the member may file a grievance against the decision depriving him from representing the member within thirty days from the date of notification by a letter submitted to the President who shall present it to the Ordinary General Assembly at its first meeting.

The Ordinary General Assembly shall decide on the grievance in the absence of the grievant legal representative and the decision issued by the Ordinary General Assembly in this matter shall be final.

If the grievance is rejected by the Ordinary General Assembly, the legal representative shall not be allowed to represent the member or any other member again until at least two years have passed from the date of the Board of Directors' decision to deprive him of representing the member.

If the Ordinary General Assembly accepts the grievance of the legal representative, his status shall be reinstated immediately.

**Article (51 bis):**

Supplementary provisions to this Law may be issued by a decree, provided that they do not contradict or amend its provisions.

**Article (51 bis 1):**

Without prejudice to the competencies prescribed for the Council of Ministers according to the provisions of this Law, the Legislation and Legal Opinion Authority shall be responsible for resolving any dispute regarding the interpretation of any provision in this Law or its Implementing Regulation between the Minister and the Chamber. The decision issued by the Authority shall be reasoned and binding on both parties if issued based on their request.

**Article Four**

The Prime Minister and the Ministers - each within his jurisdiction - shall implement the provisions of 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 in Riffa Palace:**

**On: 19 Shawwal 1441 A.H.**

**Corresponding to 11 June 2020**

**Schedule Determining the Number of Votes each Member of the Chamber has in Balloting According to His Capital**

|  |  |  |
| --- | --- | --- |
| Serial  | Capital (in Bahraini Dinars)  | The number of votes  |
| 1  | Undeclared  | 2 votes  |
| 2  | From 1 to 19,999  | 4 votes  |
| 3  | 20000 – 49999  | 8 votes  |
| 4  | 50000 – 99999  | 16 votes  |
| 5  | 100000 – 499999  | 32 votes  |
| 6  | 500000 – 999999  | 64 votes  |
| 7  | 1000000 – 4999999  | 128 votes  |
| 8  | 500,000,000 and above  | 256 votes  |