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**Published on the website on May 2024**

**Law No. (47) of 2014 amending some provisions of the Cassation Court 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;

Procedures Before Sharia Courts Law promulgated by Legislative Decree No. (26) of 1986, as amended;

Cassation Court Law promulgated by Legislative Decree No. (8) of 1989, as amended by Law No. (9) of 2009;

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

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

**Article One**

The texts of Articles (2) first paragraph, (4), (21), (25) last paragraph, and (56) of the Cassation Court Law promulgated by Legislative Decree No. (8) of 1989 shall be replaced with the following texts:

**Article (2) First Paragraph:**

The President of the Court of Cassation, its representative, and its judges shall be appointed and relieved of their positions by a Royal Decree.

Each of them is required to have obtained a Licentiate or LLB Degree and have been practising for fifteen years in a legal profession, or have worked as a judge in the Supreme Court of Appeal or the Supreme Sharia Court of Appeal for a period of four years.

**Article (4):**

The litigants shall have the right to appeal before the Court of Cassation against all final judgements issued in civil, commercial, and personal status for non-Muslims matters, as well as litigation procedures before the Sharia courts, in accordance with the provisions of this Law.

Sharia procedures related to divorce lawsuits shall be excluded.

It is not permissible to appeal by way of cassation against judgements issued before the decision on the matter, except if it leads to the suspension of the lawsuit.

**Article (21):**

After the expiration of the deadlines stipulated for in the preceding Articles, the Court Clerks’ Office shall deliver the appeal file to the technical office of the Court of Cassation, and this office shall deposit a memorandum with its opinion on the appeal as soon as possible and then submit it to the president of the court. The latter shall appoint one of the court's judges as a rapporteur for the appeal and order its referral to the court sitting in a council chamber to consider the extent of its merit to decide on its substance. If the court, convened in this capacity, considers that the appeal is not acceptable due to a defect in form, an invalidity in its procedures, or based on reasons other than those stated in Articles (8 and 9) of this Law, or because of its violation of a previous principle of the court, which is sufficient to respond to the reason of the presented appeal, and that there is no reason to relinquish this principle, then the court shall decide on the inadmissibility of the appeal with a decision that is not subject to appeal, with brief reasons recorded in the minutes of hearing, and shall oblige the appellant to pay the expenses in addition to confiscating the surety.

If it deems otherwise, it shall set a session to consider the appeal, and in this case, it has the right to exclude from the appeal the unaccepted reasons before the Court of Cassation in a brief reference to the reasons for exclusion.

The Court Clerks’ Office shall notify the lawyers of the litigants who filed their memoranda with regards to the session set for examining the appeal at least ten days prior to its convening by registered letter.

**Article (25) Last Paragraph:**

Nevertheless, in cases other than those issued by Sharia courts, if the court decides to rescind the contested judgement and the subject was eligible to be ruled in its entirety without a new procedure, or if the appeal is for the second time, then the subject matter shall be given a ruling, and the court may, if necessary, set a session to consider it.

**Article (56):**

Without prejudice to any law that exempts judicial fees, a fixed fee of one hundred dinars shall be applicable on appeals by cassation in civil, commercial, and personal status matters of non-Muslims and Sharia matters.

**Article Two**

The title of Chapter Two of the Court of Cassation Law promulgated by Legislative Decree No. (8) of 1989, shall be replaced with the following title:

**Part Two:**

On Appeals by Cassation in civil, commercial, Sharia, and personal status matters for non-Muslims.

**Article Three**

A new Paragraph shall be added to Article (8) of the Cassation Court Law promulgated by Legislative Decree No. (8) of 1989, which shall read as follows:

**Article (8) New Paragraph:**

The litigants may appeal, before the Court of Cassation, on the rulings issued by the Supreme Sharia Court of Appeal or Higher Sharia Court, in its appellate capacity, if there is a nullity in the procedures that affects the ruling. This falls under the jurisdiction of the Sharia Procedures Circuit.

**Article Four**

The Prime Minister and the ministers -each within his 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: 12 Dhu al-Qi'dah 1435 A.H.

Corresponding to: 7 September 2014