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**Legislative Decree No. (11) of 1976**

**Promulgating**

**the Law Regulating Pensions and Retirement Gratuities**

**for Officers and Personnel of the Bahrain Defence Force and Public Security**

We, Hamad bin Isa Al Khalifa, Acting Emir of the State of Bahrain.

Having reviewed the Constitution,

The Emiri Order No. (4) of 1975,

The Emiri Order No. (1) of 1976,

And Law No. (13) of 1975 regarding the Regulation of Pensions and Retirement Gratuities for Government Employees, amended by Legislative Decree No. (22) of 1975 and Legislative Decree No. (5) of 1976,

And upon the submission of the Minister of Defence and the Minister of Interior,

And after the approval of the Cabinet,

Hereby Decree the following Law:

Article – 1 –

The provisions concerning the regulation of pensions and retirement gratuities for officers and personnel of the Bahrain Defence Force and Public Security shall be governed by the accompanying law, and any provision conflicting with the provisions of this Law shall be repealed.

Article – 2 –

The Ministers of Defence, Interior, Finance, Labour, and Social Affairs shall issue the decisions necessary to implement the provisions of this Law.

Article – 3 –

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.

Acting Emir of the Kingdom of Bahrain

Hamad bin Isa Al Khalifa

Issued at Riffa Palace

On 13 Rabi' al-Awwal 1396 AH

Corresponding to 14 March 1976

**Law Regulating Pensions and Retirement Gratuities**

**for Officers and Personnel of the Bahrain Defence Force and Public Security**

Chapter One

Definitions

Article – 1 –

The terms and expressions used in the provisions of this Law shall bear the meanings specified below:

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| --- | --- | --- |
| Pension System | : | Refers to the Pension Regulation as outlined in the provisions of this Law. |
| Previous Regulations | : | Refers to Pension Regulations initiated on or after 1 July 1955, the Reserve Monetary System established in 1930, the pre-1930 service system, and the system currently implemented by the Bahrain Defence Force. |
| Foreign State | : | Any state other than the State of Bahrain. |
| Age | : | Calculated in Gregorian years; if the year is known but the date of birth is not, the date shall default to 1 January of that year. |
| Pension | : | The monthly amount disbursed under this Law to an officer, personnel, or their beneficiaries. |
| Gratuity | : | A lump sum amount disbursed under this Law to an officer or personnel, or to their Beneficiaries. |
| Officer | : | Any Individual holding the rank of Second Lieutenant or above, including Assistants and Warrant Officers. |
| Personnel | : | Any person below the rank of Officer, including Non-Commissioned Officers, Soldiers, or Police Officers, and Guards. |
| Retiree | : | An officer or personnel who is awarded a Pension under this Law. |
| Beneficiary | : | The person awarded a Pension due to their relationship with an officer or personnel. |
| Disability Salary | : | An additional monthly salary disbursed upon termination of service due to illness or disability preventing continued service. |
| Compensation | : | A lump sum amount disbursed in addition to the pension or gratuity to the beneficiaries of a deceased personnel as a result of injuries sustained while performing their duties. |
| Armed Forces | : | The Ground, Naval, and Air Forces. |
| Public Security Forces | : | Includes the officers and personnel serving in the Ministry of Interior and its departments and agencies |
| Military Operations | : | Armed engagements with the enemy or other armed groups, resulting in deaths, missing persons, or captures, as well as other cases recognised by the Commander-in-Chief of the Defence Force or the Minister of Interior as Military Operations. |
| Martyr | : | An officer or personnel who dies as a result of injuries sustained during Military Operations. |
| Missing Person | : | An officer or personnel whose death or survival has not been officially confirmed by a certificate issued by the Commander-in-Chief of the Defence Force or the Minister of Interior. |
| Eligible Service for Retirement | : | Service counted pursuant to this Law or any other law or system. |

Chapter Two

Persons Subject to the Provisions of this Law

Article – 2 –

This Law applies to Bahraini officers and personnel serving in the Armed Forces and Public Security Forces who have attained the age of seventeen.

Article – 3 –

The provisions of this Law apply to all officers and personnel in service at the time of its enforcement, subject to the following rules for the specified categories of officers and personnel:

1- Officers and personnel who have reached the age of sixty, and officers who have reached the age specified in Article (14) at the time of the enforcement of this Law, and who have not been granted a decision for continued service, shall have their Pensions or Gratuities calculated according to the provisions of this Law. They shall be considered as retired from the date of the Law's enforcement, provided they have not already received their pension rights under the Previous Regulations in which they were enrolled."

1- Officers and personnel referred to in Clause (1), if they have received their Pension rights under the Previous Regulations in which they participated, shall have the following options:

a. Be treated under the provisions of this Law, provided they refund the amounts received under the aforementioned regulations, with exemptions for amounts received under the Reserve Monetary System and the Prior Service Regulation.

b. If they choose not to refund the amounts mentioned in Sub-Clause (a), they may still be treated under this Law, but their pensions shall be reduced by an amount equivalent to the sums they received divided by (150).

c. Retain the pension rights received under the aforementioned regulations while being considered as retired from the date of the Law's enforcement.

3- Officers and personnel who have not yet attained the age of sixty, or the age specified in Article (14), and who have received their pension rights under the Previous Regulations, shall retain the options outlined in Clause (2) while continuing their service.

Chapter Three

Calculation of Service Duration for Pension or Gratuity

Article – 4 –

The period of service considered for retirement includes the actual time served in the Armed Forces or Public Security Forces. This covers periods of secondment or delegation to other entities, missions, and military training courses. Salary deductions for these periods shall apply at the rate specified in Article (11) of this Law. Fractions of a year shall be counted as a full year, and additional service periods shall also be included in the retirement service calculation.

The following shall not be included in the calculation of service duration:

a. Any period of service undertaken before the age of seventeen.

b. Periods of leave other than sick leave, granted without pay.

c. Periods of suspension from work without salary.

Article – 5 –

The additional service periods specified in Article (4) include:

a. A period equivalent to the time an officer or personnel spends in wartime, as determined by the Commander-in-Chief of the Defence Force or the Minister of Interior, as appropriate.

b. A period equal to the time spent by an officer or Personnel in captivity, provided that the innocence of the captive is established according to military service regulations, with the determination of the officers and personnel who spent this period made by a decision from the Commander-in-Chief of the Defence Force or the Minister of Interior, as applicable.

c. A period equal to half the time spent by a pilot officer engaged in aircraft operations. This additional period shall not be credited for any year where the flight hours fall below the threshold specified in military service regulations.

d. A period equal to one-quarter of the time spent by a non-pilot officer or personnel engaged in aircraft operations. This additional period shall not be credited for any year where the flight hours fall below the threshold specified in military service regulations.

e. A period equal to one-quarter of the time an officer or personnel spends parachuting in parachute units or special units. This additional period shall not be credited for any year where the number of jumps falls below the threshold specified in military service regulations.

f. A period equal to one-quarter of the time an officer or personnel spends serving in submarine crews and frogman units.

Two additional periods for one actual service period may not be combined.

Article – 6 –

If an officer or personnel who has previously received a retirement Gratuity or other retirement entitlements under any of the Previous Regulations or this Law is reinstated in the Armed Forces or Public Security Forces, their previous service shall be added to their new service, provided they refund the Gratuity or amount disbursed to them. This is conditional on the officer or personnel submitting a request to the relevant authority, specifying their prior service duration and intent to include it in their new service, within six months of their return to service or the Law's enforcement date. The Disability Pension provided under this Law is exempt from repayment.

The refund of the amounts specified in this Article may be made in monthly instalments, not exceeding one-quarter of the salary, to be refunded upon the officer or personnel reaching the age specified for leaving service.

Article – 7 –

If a Retiree is reinstated in service, their previous service shall be combined with their new service, and upon conclusion, both periods shall be accounted for, unless the termination of the latest service results from a military or judicial ruling that entails dismissal.

A Pension and salary may not be combined under any circumstances, except by a decision from the Cabinet.

For calculating the new Pension in accordance with the first paragraph, the following conditions must be fulfilled:

a. It shall not be less than the previous Pension.

b. Period spent without work may be added to the service duration, provided that no single addition exceeds four years. Further additions are not permitted once the total service duration credited for retirement reaches twenty years.

Article – 8 –

If an officer or personnel is reinstated in the Armed Forces or Public Security Forces without a Pension and has not previously received a Gratuity or any retirement entitlements under the Previous Regulations or this Law, their previous service may be added to their new service. This requires paying an amount equal to the contributions stipulated in Article (12) of this Law for their previous service, calculated based on their last salary, and submitting a request to the relevant authority within six months of their return to service.

Payment of the amount specified in this Article may be made in monthly installments, not exceeding one-quarter of the salary, to be refunded upon the Officer or Personnel reaching the age specified for leaving service.

Article – 9 –

If the service of an officer or personnel ends under the provisions of Articles (6) and (8) of this Law before the full installments are paid, the outstanding amounts shall be deducted from the Pension or Gratuity due as a lump sum.

Heirs or Pension Beneficiaries cannot be held liable for these installments in the event of the Officer's or personnel's death.

Article – 10 –

If an officer or personnel is transferred to a civilian position, their retirement rights shall be settled per the provisions of the Government Employees' Pension and Gratuities Law and this Law, proportionate to their civilian and military service, while remaining subject to all other provisions of the former law.

If a civilian employee or worker is transferred to the Armed Forces or Public Security Forces, their retirement rights shall be settled under the provisions of this Law and the Government Employees' Pension and Gratuities Law, proportionate to their military and civilian service, while remaining subject to all other provisions of this Law.

The Cabinet shall issue a decision regulating how to estimate the amounts that the public treasury is obligated to transfer to the Retirement Fund Authority in the case specified in the first paragraph, and the amounts that the Retirement Fund Authority is obligated to transfer to the public treasury in the case specified in the second paragraph of this Article.

Article – 11 –

The provisions of Articles (6), (7), (8), and (9) of this Law shall apply to the appointment of former civilian employees to one of the military positions within the Armed Forces or Public Security Forces.

Chapter Four

Contributions

Article – 12 –

A deduction of 7% shall be made from the salary of each officer or personnel subject to the provisions of this Law, based on their basic monthly salary received during service. The deduction of contributions shall cease upon the termination of service unless otherwise stipulated by law.

The government shall contribute 14% of the basic salary, or another percentage as determined by the Cabinet, for each officer or personnel subject to this Law.

Article – 13 –

The previous pension regulations shall be suspended, and the funds deposited therein shall be transferred to the public treasury.

However, contributors to the civil service retirement system, upon retirement, shall have the option to:

1- To be treated under the provisions of this Law without refunding their entitlements under the civil service retirement regulation.

2- To have their entitlements refunded under the aforementioned regulation with an annual compound interest of 3%, while their pensions are reduced by an amount equivalent to the allocation of these funds divided by 150, without exceeding the maximum limit stipulated in Article (22) of this Law.

Contributors to the reserve cash system and the previous service system shall be treated upon their referral to retirement in accordance with the provisions of this Law, with full payment of what they were entitled to under the two systems up to the date of the enforcement of this Law, plus a compound annual interest of 3%.

All officers and personnel in service at the time this Law takes effect, as well as those deemed retired under its provisions, shall be exempt from unpaid contributions for service periods prior to this Law, whether they were contributors to previous pension systems or not.

Chapter Five

Pension

Article – 14 –

An officer shall be referred to retirement by the same instrument by which they were appointed, upon reaching the following age limits for their rank:

Major General – 60 years

Brigadier – 55 years

Colonel – 50 years

Lieutenant Colonel – 47 years

Major – 45 years

Captain and below – 40 years

However, the officer may be retained in service beyond the aforementioned age for a period of two years, renewable once, if deemed necessary in the interest of service. In such cases, the additional period shall count towards the qualifying service period for retirement.

A personnel shall be referred to retirement by the same instrument by which they were appointed upon reaching the Age of sixty. The previous paragraph shall apply thereto.

Article – 15 –

Any officer or personnel may be referred to retirement after completing twelve full years of service, and this shall be by the same instrument by which they were appointed.

In this case, the officer or personnel shall be entitled to a retirement Pension rather than a Gratuity.

Article – 16 –

An officer or personnel may request retirement upon completing twenty years of service eligible for retirement. Acceptance of such a request is subject to approval by the Commander-in-Chief of the Defence Force or the Minister of Interior, as applicable.

Article – 17 –

If an officer’s service ends at the age of sixty and their retirement-eligible service totals ten years or more, they shall be entitled to a minimum Pension equivalent to twelve years of service. If the service duration exceeds this minimum, the Pension shall be calculated based on the actual service duration.

Article – 18 –

If an officer or personnel is martyred or dies due to injuries sustained in Military Operations, their Beneficiaries shall be granted a Pension equivalent to the maximum basic salary of the rank immediately above theirs.

For a Missing Person, their entitled salary shall continue to be paid without a Pension during their absence. If two years pass from the date of disappearance without official confirmation of death or evidence of life, they shall be deemed a Martyr, and their Pension shall be granted from the date of disappearance, with retirement rights calculated on this basis.

If it is established that the Missing Person is alive and not a prisoner, payment of their salary or Pension shall cease, and their status shall be resolved according to the findings of the military investigation.

Article – 19 –

If service terminates due to death, the Beneficiaries shall be granted a Pension amounting to one-third of the last monthly salary of the officer or personnel, or the Pension shall be calculated based on the duration of service in accordance with Article (17) of this Law, whichever is greater.

Article – 20 –

If an officer or personnel suffers from an illness or sustains an injury that incapacitates them from continuing to perform their duties, and their service ends, they shall be entitled to a Pension based on the provisions of Article (19) of this Law.

If the Military Medical Committee of the Armed Forces or the Medical Committee of the Ministry of Interior confirms that the illness or injury occurred while the officer or personnel was performing their official duties without fault on their part and due to the nature of the job, they shall be entitled to a Disability Allowance in addition to their pension or gratuity, as per the following percentages:

a. 1/6 of the last basic monthly salary if their ability to support themselves has been slightly impaired.

b. 1/3 of the last basic monthly salary if their ability to support themselves has been partially impaired.

c. 1/2 of the last basic monthly salary if their ability to support themselves has been severely impaired.

d. 2/3 of the last basic monthly salary if their ability to support themselves has been completely impaired.

A medical examination must be conducted every six months, and the Disability Allowance shall be determined by the decision of the medical committee within the specified percentages.

The allowance shall cease if the officer or personnel fully recovers or passes away.

Payment of the Disability Allowance shall be suspended if the Officer or Personnel refuses to attend the medical examination on the scheduled dates or declines to return to service.

Any incident involving the officer or personnel during their commute to or from work shall be deemed a work-related injury.

Article – 21 –

If an officer or personnel is killed while performing their duties or as a result of their official responsibilities, the Pension shall be set at three-quarters of the basic salary for the last month, regardless of the length of service.

In addition to the Pension, the Beneficiaries shall be entitled to a cash Compensation equivalent to the salaries and allowances of the officer or personnel for a full six months, and this Compensation may extend to a full year upon a decision by the Commander-in-Chief of the Defence Force or the Minister of Interior.

Eligibility for Compensation requires that the death not be due to negligence or a violation of orders and instructions.

If the officer or personnel was married without children or unmarried, the Compensation shall be distributed among the heirs as per Islamic inheritance law.

Article – 22 –

In accordance with the provisions of this Chapter, the officer’s pension shall be calculated at 1/540 of their last basic monthly salary, multiplied by the total months of eligible service, capped at three-quarters of the last basic monthly salary. The Pension for the Personnel shall be calculated on the basis of 1/480 of the basic salary for the last month multiplied by the number of months considered as service, with a maximum limit of three-quarters of the basic salary for the last month.

Article – 23 –

Upon the death of the officer or personnel, entitlement to the Pension transfers to the following beneficiaries:

First: The widow or widows shall be entitled to three-eighths of the Pension equally until they remarry.

Second: Sons and unmarried daughters are entitled to an equal share of four-eighths of the Pension.

Third: The father, mother, brothers, and sisters shall be entitled to one-eighth of the Pension equally among themselves.

If a widow or any widows give birth after the death of the officer or personnel, the share of the sons and daughters shall be redistributed to include the newborn.

Article – 24 –

If the wife predeceased the officer or personnel, the share she would have been entitled to if she had remained alive shall be distributed among her children and daughters entitled to the Pension equally among themselves. If none exist, her share shall be distributed equally among the wives of the officer or personnel present at the time of his death. If none of them exist, it shall revert to the public treasury.

Article – 25 –

If the widow remarries or passes away after the death of the Officer or Personnel, her share shall be distributed equally among her children who are entitled to the Pension. If there are no eligible children, her share shall revert to the public treasury.

Article – 26 –

The son’s Pension shall cease upon reaching the age of twenty-two or earning an income equivalent to the Pension; otherwise, the difference shall be paid to him. If, upon reaching this age, he is declared incapable of earning by the medical committee, the Pension shall continue as long as his incapacity persists. This status must be reviewed every two years unless the medical committee determines recovery is unlikely.

However, if the son entitled to the Pension is a student in any educational stage not exceeding university or higher education, the Pension shall be paid to him until he reaches the age of twenty-six or until he completes his studies, whichever occurs first.

Article – 27 –

The daughter’s Pension shall cease upon her marriage or if she earns an income equivalent to the Pension; otherwise, the difference shall be paid to her. The Pension shall resume if she becomes divorced or widowed.

If the daughter was married at the time of the father's death and did not receive a Pension due to this marriage, she shall be entitled to her share in accordance with the provisions of this Law if she is divorced or widowed, effective from the date of divorce or the death of her husband.

Article – 28 –

If a son’s children are orphaned due to his death, either before or after he becomes entitled to a Pension, they shall inherit his share under the conditions and limits specified in the preceding two articles.

Article – 29 –

The mother is entitled to a share of her deceased son’s Pension if she was a widow or divorced prior to his death and has not remarried anyone other than the deceased’s father.

Article – 30 –

The father shall be entitled to a share of his deceased son's Pension if he is dependent on him for his living, which shall be verified by a certificate from the Ministry of Labour and Social Affairs.

Article – 31 –

Brothers and sisters shall be entitled to a share of the deceased's Pension if they are dependent on him for their living, under the conditions and within the limits specified in Articles (26) and (27) of this Law.

It shall be verified that the brothers and sisters are dependent on the Retiree for their living by a certificate from the Ministry of Labour and Social Affairs.

Article – 32 –

If there are no eligible beneficiaries among the father, mother, brothers, or sisters, their share of the Pension shall be distributed equally among the sons and daughters.

Article – 33 –

If there are no eligible beneficiaries among the sons or daughters, the widow or widows shall be entitled to half of the Pension equally among themselves, with the remainder reverting to the public treasury, subject to the previously stated conditions and limits.

Article – 34 –

Subject to the provisions of this Law, a beneficiary's share of the Pension shall revert to the public treasury upon their death or the termination of their right to it.

Article - 35 -

By an Emiri Order, an exceptional Pension may be granted to an officer or personnel or their family if they have provided distinguished services to the state, based on a proposal from the Commander-in-Chief of the Defence Force or the Minister of Interior, as applicable.

Chapter Six

Retirement Gratuity

Article – 36 –

An officer or personnel who is not entitled to a Pension upon leaving service in accordance with the previous provisions shall be granted a Retirement Gratuity in accordance with the provisions of the following articles.

Article – 37 –

Officers or personnel shall be entitled to a Retirement Gratuity equal to 15% of the annual salary, calculated under Article (39) of this Law, for each full year of service, provided their service is at least one full year. Otherwise, they shall only be entitled to their contributions.

Article – 38 –

The gratuity shall not exceed the equivalent of four years' salary.

Article – 39 –

The salary used for calculating gratuities shall be the last basic salary earned by the officer or personnel upon leaving service.

Fractions of a month shall be treated as a full month.

Article – 40 –

If the resignation of an officer or personnel is accepted, or they leave service before completing twenty years of eligible service for retirement, even if they exceed twelve years, they shall not be entitled to a pension but shall instead receive the retirement gratuity specified in Article (37) of this Law.

In the case mentioned in the previous paragraph, 25% shall be deducted from the Gratuity if the length of service does not exceed five years, 20% if it exceeds five years but is less than ten years, 15% if it reaches ten years but is less than fifteen years, and 10% if it reaches fifteen years but is less than twenty years.

Article – 41 –

Every officer or personnel entitled to a Pension shall receive a Gratuity equal to 3% of the annual salary calculated in accordance with Article (39) of this Law for each complete year of service counted towards retirement.

Additionally, a widow of the officer or personnel or the eldest child or the entitled Beneficiaries upon their death shall receive a Gratuity equivalent to six months' salary if the officer or personnel was in service, or six months' pension if they were retired.

Article – 42 –

Upon the end of service, the officer or personnel shall receive a gratuity equal to one month's salary for each year beyond their entitlement to the maximum Pension in accordance with the provisions of this Law.

This payment shall be made to the entitled Beneficiaries in the event of the death of the officer or personnel.

Chapter Seven

Deprivation of Retirement Rights

Article – 43 –

An officer or personnel, whether in service or retired, shall forfeit all retirement rights stipulated in this Law in the following cases:

1- If they are sentenced by a final ruling from a competent Bahraini court for committing:

a. A crime of high treason or engaging in espionage for the benefit of a Foreign State or any other crime that jeopardises the safety and security of the state, either internally or externally.

b. Embezzlement of public funds, theft, or forgery of official documents, with a custodial sentence exceeding one month.

c. Membership in any political party or illegal association during service.

2- If they refuse the call directed to them to join reserve service, unless there is a serious impediment preventing this.

3- If they join, during service or after being retired, the service of a foreign state without the approval of the competent authorities.

Article – 44 –

In the cases stipulated in the previous Article, the entitled Beneficiaries shall receive their shares of the Pension throughout the duration of the officer or personnel's incarceration. Payment shall cease upon their release and resume after their death.

Chapter Eight

Retirement Committees

Article – 45 –

Requests for retirement by an officer or personnel shall be submitted to the competent committees under the Officers Service Law and Personnel Service Law in the Bahrain Defence Force or to a committee formed for this purpose within the Ministry of Interior by a decision from the Minister.

The committees shall submit their recommendations to the Commander-in-Chief of the Bahrain Defence Force or the Minister of Interior, as applicable, for a decision.

Article – 46 –

If a decision is made to retire the officer or personnel, they shall be notified to submit a request for the settlement of their retirement rights.

The request and related documents shall be forwarded to the Military Retirement Committee.

Article – 47 –

The Military Retirement Committee shall be formed in the Ministry of Finance and shall consist of:

1- An employee from the Ministry of Finance appointed by the Minister of Finance.

2- An officer from the Bahrain Defence Force appointed by the Commander-in-Chief of the Defence Force.

3- An officer from the Public Security Forces appointed by the Minister of Interior.

The committee shall settle the retirement rights within one month from the date the requests and documents are submitted to it, determining the amount and the names of the entitled Beneficiaries in each case.

The Minister of Finance and the applicant shall be notified of the committee's decision.

Article – 48 –

The Minister of Finance and the applicant may appeal the Military Retirement Committee’s decision before the Supreme Civil Court of Appeal within thirty days of notification.