

**Legislative Decree No. 30 of 2009
Regarding the Bahrain Chamber for
the Resolution of Economic, Financial
and Investment Disputes and its
amendments**

We, Hamad bin Isa Al Khalifa, King of the Kingdom of Bahrain, having reviewed:

the Constitution; specifically Article 38 thereof;

the Civil and Commercial Procedures Law promulgated by Legislative Decree No. 12 of 1971, as amended;

Legislative Decree No. 3 of 1972, with respect to Judicial Fees, as amended;

the Advocacy Law promulgated by Legislative Decree No. 26 of 1980, as amended;

Legislative Decree No. 4 of 1988, with respect to the approval of the accession, with reservations, of the State of Bahrain to the 1958 New York Convention on the Recognition and Enforcement of Foreign Arbitral Awards;

the Cassation Court Law promulgated by Legislative Decree No. 8 of 1989;

Legislative Decree No. 9 of 1993, with respect to the establishment of the Bahrain International Commercial Arbitration Center;

Legislative Decree No. 9 of 1994, with respect to the promulgation of the International Commercial Arbitration Law;

the Law of Evidence for Civil and Commercial Matters promulgated by Legislative Decree No. 14 of 1996, as amended by Law No. 13 of 2005;

the Judicial Authority Law promulgated by Legislative Decree No. 42 of 2002, as amended by Law No. 50 of 2006;

the Central Bank of Bahrain and Financial Institutions Law promulgated by Law No. 64 of 2006;

Royal Decree No. 24 of 2009 referring the draft law to establish the Bahrain Chamber for the Resolution of Economic, Financial and Investment Disputes to the Constitutional Court after approval by the Shura Council and the Council of Representatives; and

the report of the Constitutional Court issued on 25 June 2009, published in the Official Gazette issue No. 2901 dated 25 June 2009, and in implementation of the observations contained therein relating to Articles 1, 10, 23, 24 and 26;

and upon the submission of the Minister of Justice and Islamic Affairs,

We now promulgate the following Law

Preliminary Chapter

Article 1

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

Chamber: Bahrain Chamber for Dispute Resolution.

Minister: Minister concerned with Justice Affairs.

Regulations: The regulations governing the resolution of disputes provided for in Section 1 of Chapter 2 of this Law, and which shall be issued by a resolution of the Minister after the approval of the Supreme Judicial Council.

Procedural Rules: The procedural rules governing the resolution of disputes provided for in Section 2 of Chapter 2 of this Law, and which shall be issued by a resolution of the Board of Trustees.

Dispute Resolution Tribunal: One or more natural person(s) appointed to determine a dispute, governed by the provisions of Section 1 of Chapter 2 of this Law, the tribunal shall include one or more judges deputized by the Supreme Judicial Council upon a request from the Minister, and the majority of whom shall be deputized judges.

Chief Executive Officer: The Chief Executive Officer of the Chamber designated pursuant to Article 6 of this Law.

Board of Trustees: The Board of Trustees of the Chamber.

Chapter 1

Establishment and Organization of the Bahrain Chamber for Dispute Resolution

Article 2

An independent Chamber shall be established for the resolution of economic, financial and investment disputes and shall be named the "Bahrain Chamber for Dispute Resolution". It shall be a legal entity and shall be subject to the administrative supervision and oversight of the Minister.

Article 3

The Chamber shall be composed of:

- (a) the Board of Trustees, and
- (b) administrative and technical staff.

Article 4

(a) The Board of Trustees shall be composed of at least seven members including the chairperson, whose appointment and terms of office shall be determined by decree.

(b) The remuneration of the chairperson and members of the Board of Trustees shall be determined by decree.

Article 5

A - The Board of Trustees shall be the supreme authority responsible for the affairs of the Chamber, including establishing its policies, supervising their implementation, and taking all necessary measures to enable the Chamber to fulfill its mandate and exercise its authority. The Board of Trustees shall, in particular:

1. devise and approve the Chamber's financial and administrative bylaws, issue regulations and pass resolutions, and take all necessary measures to implement the provisions of this Law;
2. approve the organizational structure of the Chamber and issue regulations for the management of its human resources, including procedures and rules governing appointment, promotion, transfer, remuneration, rewards, disciplinary procedures and codes of conduct for the employees of the Chamber, and any other matters relevant to and in accordance with the Civil Service Law;
3. issue the Procedural Rules;
4. approve the Chamber's annual draft budget and its final audited accounts;
5. review the periodic reports submitted by the Chief Executive Officer regarding the Chamber's operations, and take the necessary decisions arising;
6. appoint the Chief Executive Officer;
7. appoint one or more Chief Registrars, on the recommendation of the Chief Executive Officer;
8. approve the Chamber's annual report on its work and activities;
9. at the beginning of each year, devise the Chamber's annual work plan;
10. specify the authority and duties of the Chief Executive Officer and of the Chief Registrar(s) and evaluate their performance;
11. appoint an external auditor to audit the Chamber's accounts, and determine their fees; and
12. communicate with local, regional and international institutions working in the same field, to exchange experiences and visits, conclude cooperation and training agreements that serve the Chamber's objectives and enable it to acquire a global reputation in the field of its mandate.

B - The Board of Trustees may delegate specific tasks to one or more committees composed of members of the Board of Trustees, or to the chairperson, or to any member of the Board of Trustees, or to the Chief Executive Officer.

Article 6

(a) The Board of Trustees shall convene at least four meetings a year. The chairperson of the Board of Trustees shall call an extraordinary meeting when deemed necessary, or upon a reasoned written request from either the Minister, or at least two members of the Board of Trustees, or the Chief Executive Officer, or the Chamber's external auditor. In such cases, the meeting shall be held within thirty days from the date of submission of the written request.

(b) The notice of a meeting of the Board of Trustees shall include the purpose of the meeting and an agenda.

(c) The Chief Executive Officer shall attend all meetings of the Board of Trustees, except in the instances specified in the internal bylaws. The Board of Trustees may invite to its meetings, as non-voting participants, experts, or other related parties for discussions and consultations.

(d) The Board of Trustees shall appoint a secretary who shall be responsible for preparing the agendas for the meetings of the Board of Trustees, drafting the minutes of the meetings, retaining all documents and records pertaining to the Board of Trustees, and undertaking any other tasks within the Chamber's remit, as assigned by the Board of Trustees.

(e) Within a period not exceeding six months from the issuance of this Law, the Board of Trustees shall put in place internal bylaws to govern its affairs, which must include the rules governing the conduct of the meetings of the Board of Trustees, using modern technology, and the mechanisms and procedures governing decision-making in urgent matters that arise in between the meetings of the Board of Trustees.

Article 7

The Chief Executive Officer shall be the head of the Chamber's administrative and technical staff and shall represent the Chamber before courts and in its dealings with third parties.

Article 8

(a) The Chamber shall have an independent budget prepared on a commercial basis. The Chamber's revenues shall consist of:

1. fees and revenues collected by the Chamber in payment for its services;
2. sums allocated by the Government to the Chamber in the national budget; and
3. any other sources of revenue approved by the Board of Trustees, in accordance with applicable laws.

(b) Any surpluses in the Chamber's budget shall be carried over from one year to the next.

(c) The Chamber's annual accounts shall be published after their approval by the external auditor and the Board of Trustees.

Chapter 2

Jurisdiction of the Chamber

Section 1

Statutory Jurisdiction of the Chamber

Article 9¹

Notwithstanding any other law that confers jurisdiction on the Chamber, it shall have the jurisdiction to resolve disputes typically within the purview of Bahraini courts or other judicial entities, provided (other than in reorganization and bankruptcy cases) that the value of the claim exceeds five hundred thousand dinars, as follows:

¹ Article 9 as amended by Legislative Decree 26 of 2021.

1. disputes among financial institutions licensed under the provisions of the Central Bank of Bahrain law, or between those financial institutions and any other institution, company, or individual; or
2. commercial international disputes.

A dispute shall be deemed international if the domicile of one of the parties to the dispute, or the place where a substantial part of the commercial obligations is performed, or the location most closely connected with the subject matter of the dispute, is outside the Kingdom of Bahrain.

A dispute shall be deemed commercial if its subject matter, whether contractual or non-contractual, is of a commercial nature, including any transaction for the supply or exchange of goods or services, distribution agreements, commercial representation or agency agreements, management of third-party rights, hire-purchase, construction of factories, consulting, engineering, licensing, investment, financing, banking, insurance, exploitation agreements or concessions, joint ventures or any other form of industrial or business cooperation, carriage of goods or of passengers by air, sea or land.

3. Disputes between commercial companies licensed under the provisions of Commercial Companies Law promulgated by Legislative Decree No. 21 of 2001.

A dispute is deemed to be between commercial companies if the dispute is between a commercial company and another regarding the obligations arising from their commercial relationship.

Article 10

Subject to the restrictions regarding judicial fees stipulated in Legislative Decree No. 3 of 1972, where a dispute is heard before the Chamber in accordance with the provisions of this section, no proceedings may be commenced before the Chamber unless the prescribed fee has been paid in full and in advance. Categories of such fees shall be determined and may subsequently be modified by a resolution of the Minister after the approval of the Cabinet of Ministers, not exceeding 5% (five

percent) of the value of the claim. Fees may be deferred or partially or entirely waived by a resolution of the Minister.

Article 11

(a) Parties to a dispute administered by the Chamber in accordance with the provisions of this section may agree on the substantive law applicable to the dispute, provided that the provisions of such law do not contravene the public order of the Kingdom of Bahrain. If the parties do not agree on the applicable law, the substantive law of Bahrain shall be applied to the subject matter of the dispute.

(b) If, in accordance with the provisions of Paragraph (a) of this Article, the parties agree on a substantive law other than Bahraini Law, they must submit such an agreement to the Dispute Resolution Tribunal in accordance with the requirements and procedures cited in the Regulations.

Article 12

(a) If the parties have not agreed on the language(s) to be used in the dispute resolution proceedings, and the dispute is being administered by the Chamber in accordance with the provisions of this section, the Arabic language shall be the language used in the proceedings.

(b) The Regulations shall set out the rules governing the translation of documents and papers into the language(s) used in the dispute resolution proceedings.

Article 13²

(a) In a dispute administered by the Chamber in accordance with the provisions of this section, the parties may invoke any of the following grounds to request the Court of Cassation to annul a judgment of the Dispute Resolution Tribunal:

1. if the party applying for annulment was not properly notified of the appointment of a member of the Dispute Resolution Tribunal or of the dispute resolution procedures, or was not allowed to present its defense;

² Article 13 as amended by Legislative Decree 64 of 2014.

2. if the composition of the Dispute Resolution Tribunal, or the dispute resolution procedures that were followed, violate the Regulations;
3. if the Dispute Resolution Tribunal's judgment contravenes the public order of the Kingdom of Bahrain;
4. if an opposing party or its legal representative has committed an act of deception or fraud that has influenced the Dispute Resolution Tribunal's judgment;
5. if, after the Dispute Resolution Tribunal has issued its judgment, there was either an admission of forgery, or a court ruling confirming such forgery, of documents relied on in the Dispute Resolution Tribunal's judgment, or if the Dispute Resolution Tribunal's judgment was based on the testimony of a witness who was later found by a court to have committed perjury;
6. if after the Dispute Resolution Tribunal's judgment was issued, a party obtains documents that would have been decisive in the resolution of the dispute, which were withheld by the other party;
7. if the Dispute Resolution Tribunal's judgment determined issues beyond that which was sought by the parties, or awarded more than that which was sought; provided that if it is possible to distinguish the orders relating to the relief sought by the parties from other orders, then only the part of the judgment that relates to the matter that went beyond the relief sought by the parties shall be annulled; or
8. if the Dispute Resolution Tribunal's judgment contradicts another previously issued final judgment, provided that both awards are identical as to the parties involved, those parties' adversarial roles, and the subject matter.

b) The parties to a dispute administered by the Chamber in accordance with this section may appeal a final judgment of a Dispute Resolution Tribunal to the Court of Cassation if the judgment was based on a violation of the applicable laws, or on an improper application or interpretation of

the applicable laws. In the event the Court of Cassation overturns the Dispute Resolution Tribunal's judgment, it must determine and rule on the subject matter of the dispute.

Article 14³

An application for annulment stipulated in Article 13 of this Law shall be filed in accordance with the regular procedures for filing a legal claim, within forty-five days of the date of the issuance of the Dispute Resolution Tribunal's judgment or its service on the parties, as the case may be, or, if the application for annulment is made pursuant to clauses 4 to 6 of Paragraph (a) of Article 13 of this Law, within forty five days from the day on which the fraud became known, or the forger admitted the forgery, or the court confirmed the forgery or the perjury, or the withheld document surfaced.

The application for annulment must state the grounds for annulment, or it shall be considered void. On filing the application for annulment, the applicant must deposit, by way of a bond, either a sum equivalent to 1% of the sum awarded by the Dispute Resolution Tribunal, or one hundred thousand Bahraini Dinars, whichever is lesser amount. The application for annulment shall not be accepted unless accompanied by proof that the bond has been deposited. In the event of multiple applicants, a single bond is sufficient if the applicants make a joint application even if the application contains different grounds for annulment. The Court of Cassation shall declare the bond, or part of it, non-refundable if it rejects the application for annulment, or rules it inadmissible or time barred.

Article 15

Without prejudice to Article 14 of this Law, the judgment of a Dispute Resolution Tribunal rendered pursuant to the provisions of this section has the same standing as a final judgment issued by the courts of Bahrain, and the Regulations shall provide for the procedures regulating granting of enforceability of the judgment.

³ Article 14 as amended by Legislative Decree 64 of 2014.

The judgment of a Dispute Resolution Tribunal rendered pursuant to the provisions of this section shall be enforceable unless the Court of Cassation orders a stay of enforcement, and the applicant has included a request to stay the enforcement of the judgment in its application for annulment.

Article 16

Until the Chamber starts exercising its jurisdiction as provided for in Chapter 2 of this Law, the courts and other entities with relevant jurisdiction shall continue to adjudicate the cases that would otherwise have fallen within the jurisdiction of the Chamber in accordance with the provisions of this Law, until a final court judgment is issued in relation thereto.

Article 17

If a legal action with the same disputed subject matter is filed before the Chamber and before another court, neither of which declines jurisdiction, or both of which decline jurisdiction, then the Court of Cassation shall have sole jurisdiction to determine which forum has jurisdiction. The Court of Cassation shall also have sole jurisdiction in deciding disputes concerning the enforcement of two contradictory judgments, one issued by the Chamber, and another issued by a State court.

An application for determining jurisdiction shall be filed with the clerk of the Court of Cassation and served on the parties in accordance with the procedures for service stipulated in the Civil and Commercial Procedures Law. Within eight days following the date of their service, the parties may file a reply. The Technical Office of the Court of Cassation shall state its opinion regarding the application and shall then submit the application to the President of the Court of Cassation to set a hearing date, to be notified to the parties at least three days in advance.

The filing of the application with the Court of Cassation does not stay any ongoing judicial proceedings unless the Court of Cassation decides otherwise. If the application is submitted after such judicial proceedings were concluded, then the Court of Cassation may stay the enforcement of one or both of any contradictory judgments.

Article 18

The Supreme Judicial Council shall, in accordance with the provisions stipulated in the Regulations, oversee the proper conduct of the Chamber's activities in relation to disputes falling within the jurisdiction of the Chamber pursuant to the provisions of this section.

Section 2

Jurisdiction of the Chamber by the Consent of the Parties

Article 19

The Chamber shall have jurisdiction over disputes which the parties have agreed in writing to resolve through the Chamber.

Article 20

If the dispute before the Chamber is administered in accordance with the provisions of this section, then the related costs and fees shall be determined in accordance with the Procedural Rules.

Article 21

If the parties to a dispute have not agreed on the law applicable to the subject matter of the dispute, and the dispute is to be administered in accordance with the provisions of this section, the Dispute Resolution Tribunal shall apply the law determined by the conflict of laws rules that it considers applicable to the subject matter of the dispute.

Article 22

(a) If the parties have not agreed on the language(s) to be used in the dispute resolution proceedings and the dispute is to be administered in accordance with the provisions of this section, the Dispute Resolution Tribunal shall determine the language(s) to be used in the proceedings.

(b) The Procedural Rules shall set out the rules governing the translation of documents and papers into the language(s) used in the proceedings.

Article 23

(a) A judge of the High Court of Appeal, after reviewing both the Dispute Resolution Tribunal's award and the dispute resolution agreement to ascertain that the award does not violate the public order of the Kingdom of Bahrain, may order the enforcement of an award rendered by a Dispute Resolution Tribunal pursuant to the provisions of this section, on an application submitted by the party seeking the enforcement, accompanied by an original copy of the Dispute Resolution Tribunal's award and a copy of the dispute resolution agreement.

(b) The order of the judge of the High Court of Appeal on the application for enforcement shall be a reasoned order, and the parties to the dispute may appeal the order to the High Court of Appeal within thirty days from the date of its issuance or its notification, as the case may be. The appeal must be based on one of the grounds listed in Paragraph (a) of Article 24 of this Law.

(c) A judge who has issued an enforcement order shall not sit on the panel deciding the appeal of that enforcement order.

Article 24

(a) The parties to a dispute administered by the Chamber pursuant to the provisions of this section may apply to the Court of Cassation either to annul the award of the Dispute Resolution Tribunal or to appeal the order of the High Court of Appeal on the application for enforcement within the period stipulated in Article 23 of this Law, for any of the following reasons:

1. if the dispute resolution agreement is invalid due to the incapacity of one of the parties or because the agreement violates the law chosen by the parties to govern it;
2. if the party seeking annulment or appeal was not properly notified of the appointment of a member of the Dispute Resolution Tribunal or of the procedural rules, or was not allowed to present its defense;

3. if the composition of the Dispute Resolution Tribunal, or the dispute resolution procedures that were followed, violates the parties' agreement;

4. if the Dispute Resolution Tribunal's award deals with a dispute not contemplated by or not falling within the terms of the submission to the Tribunal, or contains decisions on matters beyond the scope of that submission; provided that if the decisions on matters submitted to the Tribunal can be separated from those not so submitted, only that part of the award which contains decisions on matters not submitted to the Tribunal may be set aside.

5. if the Dispute Resolution Tribunal's award contravenes the public order of the Kingdom of Bahrain.

(b) The annulment or appeal stipulated in Paragraph (a) of this Article shall be filed in accordance with the regular procedures for filing a legal claim and must state the grounds on which it is based, otherwise it shall be considered void. On filing the application for annulment or appeal, the applicant must deposit, by way of a bond, the sum stipulated in the Cassation Court Law. The application for annulment or appeal shall not be accepted unless accompanied by proof of that the bond has been deposited. In the event of multiple applicants, a single bond is sufficient if the applicants make a joint application, even if the application contains different grounds for annulment or appeal. The Court of Cassation shall declare the bond, or part of it, non-refundable if it rejects the application for annulment or appeal, or rules it inadmissible or time-barred.

(c) The filing of an application for annulment or appeal stipulated in this Article shall not stay the enforcement of the Dispute Resolution Tribunal's award unless the Court of Cassation stays enforcement based on a request to stay included in the application for annulment or appeal.

Article 25

Without prejudice to the procedures stipulated in Articles 23 and 24 of this Law concerning the enforcement of the Dispute Resolution Tribunal's award, parties to the dispute shall not be entitled to seek the annulment of

the award in accordance with Article 24 of this Law if they have agreed in writing that the dispute be governed by non-Bahraini law, and that any annulment of the award shall not be brought before Bahraini courts, and that the application for annulment shall be submitted to the relevant authority of another country.

Chapter 3

Regulation of Proceedings before the Chamber

Article 26

Insofar as they are not in conflict with the jurisdiction or procedures of the Chamber, the rules specified in the Civil and Commercial Procedures Law and the Law of Evidence in Civil and Commercial Matters shall apply to the procedures and time limits applicable to disputes administered by the Chamber, pursuant to the provisions of Section 1 of Chapter 2 of this Law, including the procedures for filing a claim, the management of the proceedings, the terms for the appointment and selection of the members of the Dispute Resolution Tribunal, the rules governing their challenge and recusal, the terms governing the parties' representation before the Dispute Resolution Tribunal, the grounds for disqualification of its members, the rules governing the payment of fees and expenses and their deposit with the Chamber, and other related matters necessary to regulate the proceedings, including rules concerning appearance, absence, joinder, intervention, interpretation of judgments, correcting typographical or computational errors, and the making of additional judgments as to claims presented in the proceedings but omitted from the original judgment.

Details of all such procedures shall be contained in a regulation issued by the Minister after the approval of the Supreme Judicial Council, within a period not exceeding six months from the issuance of this Law.

Article 27

(a) The Board of Trustees shall issue the Procedural Rules within a period not exceeding six months from the date of this Law, specifying the means of dispute

resolution, the applicable rules and procedures and the time limits applicable to disputes administered by the Chamber pursuant to the provisions of Section 2 of Chapter 2 of this Law, including procedures for filing a claim, the management of the proceedings, the terms for the appointment and selection of members of the Dispute Resolution Tribunal, the rules governing their challenge and resignation, the terms governing parties' representation before the Dispute Resolution Tribunal, the disqualification of arbitrators, the rules governing the payment of fees and expenses and their deposit with the Chamber, and other related matters necessary to regulate the proceedings, including rules concerning appearance, absence, interpretation of awards, correcting typographical or computational errors and the making of additional awards as to claims presented in the proceedings but omitted from the original award.

(b) The Board of Trustees may also issue special procedural rules governing procedures to be applicable in certain types of disputes administered by the Chamber according to the provisions of Section 2 of Chapter 2 of this Law.

Article 28

If the Chamber has jurisdiction over a dispute, the Chamber shall be deemed to be the appointing authority to appoint individuals to determine the dispute, regardless of the procedural rules applied to the dispute.

Article 29

Dispute Resolution Tribunal members shall be impartial and independent, and shall, before accepting their appointment, disclose to the appointing authority any circumstances or potential conflicts that may give rise to doubts about their impartiality or independence.

Article 30

In applying the provisions of this Law, and subject to the provisions of the Regulations and the Procedural Rules:

(a) non-Bahraini lawyers are not permitted to represent a party in disputes submitted in accordance with the provisions of Section 1 of Chapter 2 of this Law, unless accompanied by a Bahraini lawyer licensed before the

Court of Cassation; and

(b) non-Bahraini lawyers may represent any party in disputes submitted in accordance with the provisions of Section 2 of Chapter 2 of this Law.

Article 31⁴

The Supreme Judicial Council shall deputize a judge authorized to issue any necessary orders and decisions to advance the resolution of disputes when judicial intervention is required, from the filing of the claim with the Chamber until the constitution of the Dispute Resolution Tribunal. This judge's authority includes issuing conservatory, interim and emergency measures, staying the proceedings upon the consent of the parties, striking out the case, and deciding on fees and expenses in accordance with a settlement agreement reached during the case management phase.

The orders and decisions issued by the deputized judge are considered as though issued by the Dispute Resolution Tribunal itself, preserving the Dispute Resolution Tribunal's jurisdiction over interim measures.

Challenges against an interim measure may be directed to the judge who issued the measure, or to the Dispute Resolution Tribunal after its formation, as appropriate. The decision on the challenge will be final and not subject to any further challenges. The Regulations and Procedural Rules will outline the procedures governing the submission and adjudication of appeals.

Article 32

The Dispute Resolution Tribunal's judgments and awards shall be in writing and signed by the Dispute Resolution Tribunal in accordance with the rules stipulated in the Regulations and the Procedural Rules.

⁴Article 31 as amended by Legislative Decree 26 of 2021.

Chapter 4

Licensing of Dispute Resolution Institutions

Article 33

Subject to the approval of the Cabinet, the Minister may license dispute resolution institutions to operate and be based in the Kingdom of Bahrain and determine the licensing fees due from such institutions. Such a license shall also regulate how the dispute resolution institution conducts its operations.

Article 34

The provisions of Articles 23, 24, 25, 30(b), 35 and 36 of this Law shall apply to all institutions referred to in the previous Article.

Chapter 5

General Provisions

Article 35

The provisions of the Civil and Commercial Procedures Law and the Law of Evidence shall apply to disputes falling within the jurisdiction of the Chamber under this Law only to the extent that the Civil and Commercial Procedures Law and the Law of Evidence do not conflict with the provisions of this Law.

Article 36

(a) The chairperson and the other members of the Board of Trustees, the Chief Executive Officer, the Chief Registrar, or any employee of the Chamber shall not be liable for any act or omission that results in damage to others, if such act or omission was in the course of performing their duties within the limits of the authority granted to them under this Law or the regulations or the decisions implementing this Law, unless such act or omission was carried out in bad faith, or was the result of gross negligence.

(b) Dispute Resolution Tribunal members appointed pursuant to the provisions of this Law shall not be liable for any act or omission that results in damage to others if such act or omission was in the course of performing

their duties, unless such act or omission was carried out in bad faith or was the result of gross negligence. The same shall apply to those working with, or duly authorized by, a Dispute Resolution Tribunal member to perform any of the duties assigned to the Dispute Resolution Tribunal member himself. This provision does constitute a waiver of the liability of a Dispute Resolution Tribunal member who resigns without justification or at an inappropriate time.

(c) The Chamber shall not be liable for any act or omission committed by the chairperson or the other Members of the Board of Trustees, or the Chief Executive Officer, or the Chief Registrar, or any employee of the Chamber, or any Dispute Resolution Tribunal member, or any other official acting in the name or on behalf of the Chamber unless such act or omission was carried out in bad faith or was the result of gross negligence.

Article 37

The provisions of Law No. 13 of 1975, governing the salaries and end-of- service benefits for government employees, and all its subsequent amendments, shall apply to all employees of the Chamber.

Article 38

Legislative Decree No. 9 of 1993 establishing the Bahrain International Commercial Arbitration Center is no longer effective, nor is any other provision that contradicts the provisions of this Law.

Article 39

The Prime Minister and the Ministers, each within their respective jurisdictions, shall implement the provisions of this Law, which shall come into force from the day following its publication in the Official Gazette; provided that the Chamber shall exercise the jurisdiction stipulated in Chapter 2 of this Law six months after this Law comes into force.

The King of the Kingdom of Bahrain

Hamad Bin Isa Al-Khalifa

The Prime Minister

Khalifa Bin Salman Al-Khalifa

The Minister of Justice and Islamic Affairs

Khalid Bin Ali Al-Khalifa

Issued in Riffa Palace:

Date: 6th of Rajab 1430 Hijri

Corresponding to: 29 June 2009