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**Published on the website on May 2024**

**Law No.(3) of 2005 regarding Higher Education**

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

Having reviewed the Constitution;

Legislative Decree No. (11) of 1981 regarding Bahrain Centre for Studies and Research, as amended;

Legislative Decree No. (12) of 1986 on the establishment and regulation of the University of Bahrain, as amended;

Legislative Decree No. (19) of 1995 regarding the Evaluation of Academic Qualifications;

Legislative Decree No. (2) of 1997 regarding the Educational Services Offices for Students Abroad

And Legislative Decree No. (25) of 1998 regarding Private Educational and Training Institutions,

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

**Article One**

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

**Higher Education:** The education whose duration is not less than a full academic year in one of the academically recognised post-secondary education institutions or its equivalent.

**Scientific Research:** Any scientific activity related to the development of human sciences and knowledge with the aim of researching ways to apply, disseminate and benefit from them in improving the standard of life of the individual and the group and in a way that contributes to the advancement of comprehensive national development efforts.

**Council:** The Higher Education Council.

Higher Education Institution: The institution that is responsible for higher education.

**Field of Speciality:** A range of subjects and curricula whose teaching period is not less than two semesters or a full academic year in any institution of higher education and ends with a certificate in which the name of the specialisation is mentioned.

**Ministry:** Ministry of Education.

**Minister:** Minister of Education.

**General Secretariat of the Higher Education Council:** A specialised body concerned with higher education within the organisational structure of the Ministry, and it reports directly to the Minister.

**Article Two**

Higher education, through its institutions, aims to achieve the following:

1- Providing the opportunity to study, specialise and deepen in the fields of knowledge to meet the needs of society and the requirements of comprehensive development.

2- Developing and encouraging scientific research to contribute to the advancement and deepening of knowledge and promoting creativity and innovation to serve the requirements of the society .

3- Continuously raising the qualifications of human resources in various fields of work and preparing qualified human resources of technicians, specialists and researchers .

4- Technology development for the service of society .

5- Developing interest in Arab, Islamic and global culture and protecting and developing the national heritage .

6- Working to strengthen cultural, scientific and educational ties with universities, institutes of higher education and Arab, Islamic and international scientific bodies and institutions.

7- Providing scientific and technical consultations and services to governmental and private bodies and institutions.

8- Paying due attention to religious and national education and strengthening the personality of the citizen and his pride in his national unity, religion, Arabism and homeland.

9- Developing the skills of success in life and flexibility in keeping pace with the transformations of knowledge and the world of work.

10- Developing the student's ability to practise scientific, analytical and critical thinking and solve problems innovatively.

**Article Three**

A council called the Council of Higher Education shall be established to deal with matters relating to higher education and scientific research in the State, and its formation shall be promulgated by Royal Decree.

**Article Four**

The council shall be formed under the presidency of the Minister and a number of members who shall not be less than ten members with scientific experience and status, provided that those representing government and private higher education institutions are among them. The term of membership in the Council shall be four years, to be renewed.

**Article five**

The Council shall undertake the affairs of higher education, in particular:

1- Preparing the general policy for higher education and scientific research.

2- Proposing the establishment of public higher education institutions in the Kingdom and approving the fields of specialization at the various levels in which they are studied and the amendments thereto.

3- Laying the general foundations related to the admission of students to higher education institutions.

4- Examining and proposing amendments to the Laws and Regulations of higher education in light of the development of public policies in the Kingdom .

5- Considering the difficulties facing higher education and proposing means to overcome them.

6- Setting the conditions and standards for licensing higher education institutions in their various forms.

7- Issuing regulations and decisions regulating academic, financial and administrative affairs related to higher education.

8- Licensing the establishment of private higher education institutions within the framework of the general plan for higher education in accordance with the licensing conditions set by the Council.

9- Coordinating between higher education bodies and institutions, and scientific research bodies and institutions on the one hand, and coordinating also between them and public education institutions on the other hand, besides striving to achieve greater integration between them.

10- Reviewing the annual reports issued by higher education institutions and the competent government agencies on the performance of higher education institutions and taking appropriate recommendations on evaluating and developing this performance.

11- Preparing annual reports to the Council of Ministers on the conditions of higher education and scientific research, and making appropriate recommendations in this regard.

12- Following up on higher education institutions and monitoring their programs and support services, the quality of their performance, outputs and financial conditions.

13- Encouraging private investment in higher education.

**Article Six**

The Council shall meet upon the invitation of its President at least once every four months. It is permissible to invite it to extraordinary meetings whenever necessary. The meetings of the Council are valid if the meeting is attended by a majority of the members. Its decisions and recommendations are issued with the approval of a majority of those present. If the votes are equal, the side that includes the President shall prevail. The Council may present any recommendations and decisions it deems appropriate to the Council of Ministers.

**Article Seven**

The Council may form special committees to discuss certain topics, and it may seek the assistance of experts and specialists, whether in its meetings or in the sessions of its committees. Competent Authorities in the public and private sectors shall provide the Council with the data, statistics, and information it deems necessary to implement its competences.

**Article Eight**

A General Secretariat of the Council shall be established in the ministry for the sake of preparing the subjects and studies presented to the Council. It shall also follow up and implement its decisions to achieve its objectives and duties.

**Article Nine**

An Academic Accreditation Committee shall be established to include in its membership a number of experts and specialists in higher education by a decision of the Prime Minister based on a recommendation by the Council entrusted with the task of setting academic accreditation standards and recommending the granting of accreditation to higher education institutions operating in the Kingdom for approval by the Council.

**Article Ten**

The Higher Education Council shall consider the request for licence referred to in Article Five and approve the granting of the licence or the reasoned refusal within a period of four months from the date of its submission. The person concerned may file a grievance for the President of the Council against the refusal of the licence within sixty days from the date he is notified of the refusal.

The Council shall rule upon the grievance within sixty days from the date of its submission, and the person concerned may appeal the decision before the Competent Court within sixty days from the date of notification of the rejection or from the date of expiry of the period prescribed for the consideration of the grievance.

**Article Eleven**

The Council may suspend the licence of any private educational institution, field of specialisation, or scientific programme for a period not exceeding one academic year if it finds that they violate the terms of the licence.

The Council shall, before issuing its decision to suspend in accordance with the provision of the preceding paragraph, notify the concerned institution in writing of the violation and the period specified for removing its causes, provided that it does not exceed six months. The person concerned may appeal the suspension decision before the Competent Court within sixty days from the date of being notified of it .

**Article Twelve**

If the Council issues a decision to suspend the licence of a private higher education institution in accordance with Article Eleven of this Law, the Council shall issue the appropriate decisions to address the conditions of students continuing the study and preserve their right to recover the fees they have paid and their other acquired rights in accordance with the rules it sets in this regard.

**Article Thirteen**

In matters for which no particular text has been provided in this law, the provisions of the Laws relating to the establishment of government higher education and scientific research institutions shall apply to them.

**Article Fourteen**

Every private higher education institution licensed prior to the entry into force of the provisions of this Law, in a manner that contradicts its provisions, shall amend its status in accordance with the provisions of this Law within a period not exceeding one year from the date of entry into force. Otherwise, the Council shall issue a decision suspending the licence until its status is amended.

**Article Fifteen**

The Minister of Education shall, after the approval of the Council, issue the Implementing Regulations and Decisions of this Law within six months from the date of its entry into force.

**Article Sixteen**

The Ministers - each within his jurisdiction - shall implement this Law, and it shall come into force upon its publication in the Official Gazette.

**King of The Kingdom of Bahrain**

**Hamad bin Isa Al Khalifa**

Issued in Riffa palace:

On: 11 Rabi' al-awwal 1426 A.H.

Corresponding to: 20 April 2005