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**Law No. (25) of 2013
amending certain provisions of Legislative Decree No. (4) of 2001
regarding the Prohibition and Combating Money Laundering and Terrorism Finance**

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

Having reviewed the Constitution;

Penal Law promulgated by Legislative Decree No. (15) of 1976, as amended;

Legislative Decree No. (16) of 1976 regarding Explosives, Arms and Ammunition, as amended;

Legislative Decree No. (8) of 1985 regarding the ratification of the United Nations Convention on the Law of the Sea which was signed in Jamaica on December 10, 1982;

Legislative Decree No. (11) of 1995 regarding Protection of the Artefacts;

And Legislative Decree No. (21) of 1996 regarding Environment, as amended by the Legislative Decree No. (8) of 1997;

Legislative Decree No. (4) of 2001 regarding Prohibition and Combating Money Laundering and Terrorism Finance, as amended by Law No. (54) of 2006;

Commercial Companies Law promulgated by Legislative Decree No. (21) of 2001;

Legislative Decree No. (36) of 2002 regarding Regulation of the Government Tenders, Auctions, Purchases and Sales, as amended;

Law No. (15) of 2005 approving the Accession of the Kingdom of Bahrain to the Convention for the Suppression of Unlawful Acts against the Safety of Maritime Navigation and the Protocol for the Suppression of Unlawful Acts Directed towards the Safety of Fixed Platforms Located on the Continental Shelf;

Law No. (11) of 2006 regarding Trademarks;

Legislative No. (22) of 2006 regarding Protection of the Copyright and the Related Rights, as amended by Law No. (12) of 2008;

Law No. (58) of 2006 regarding Protection of the Community from the Acts of Terrorism;

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

Law No. (15) of 2007 regarding Narcotic Drugs and Psychotropic Substances;

Law No. (1) of 2008 regarding Combating Human Trafficking;

And Law No. (7) of 2010 regarding Ratifying the United Nations Convention Against Corruption;

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

**Article One**

In the introduction to Article (2) of Legislative Decree No. (4) of 2001 referred to, a new paragraph No. (2-1) shall be added and the remaining paragraphs of the Article shall be re-numbered as follows:

**Article (2) Paragraph (2-1):**

Money Laundering generated from the following crimes whether they take place inside or outside the Kingdom shall be prohibited:

a) Narcotic drugs and psychotropic substances crimes.

b) Kidnapping or piracy crimes.

c) Terrorism crimes and its financing.

d) Crimes related to environmental protection and hazardous materials.

e) Crimes related to explosives, arms and ammunitions.

f) Bribery, embezzlement, damaging public property, abuse of power or influence, graft and unlawful profiteering crimes.

g) Theft and related crimes, fraud, breach of trust and related acts.

h) Immorality and prostitution crimes.

i) Offences against intellectual property rights.

j) Tax evasion crimes (Customs duties).

k) Crimes related to providing financial services in violation of the legally prescribed laws and crimes committed by insiders and crimes related to market information.

l) Crimes of trafficking in persons.

m) Crimes of trading in antiquities.

n) Any other crimes set forth in the Bahrain Penal Law or any other laws and crimes indicated in international conventions and protocols attached thereto which Bahrain is party if they are punishable by the Bahraini law.

**Article Two**

The term “acquired from a criminal activity” shall be amended to read as “acquired from one of the crimes provided for in Paragraph (2-1)” wherever it appears in Paragraph (2- 2) in the introduction to Article (2).

2-2 A person shall be considered perpetrator of a money laundering crime if he commits one of the following acts which leads to demonstrating the legitimacy of its source:

a) Conducting any transaction related to proceed of a crime, in the knowledge, belief or leading to believe that it is proceeds of one of the crimes provided for in Paragraph (2-1) or from any act considered as participation therein.

b) Concealing the nature of proceeds of a crime, its place, manner of disposing, movement, ownership, right related thereto in knowledge, taking into consideration or making to believe that these are proceeds of one of the crimes provided for in Paragraph (2-1) of an act considered as a participation therein.

c) Acquiring, receiving or transporting proceeds of a crime in the knowledge, taking into consideration or leading to believe that, these are proceeds of one of the crimes provided for in Paragraph (2-1) of an act considered as participation therein.

d) Retaining or acquiring the proceed of a crime in the knowledge, taking into consideration or leading to believe that, these are proceeds of one of the crimes provided for in Paragraph (2-1) of an act considered as participation therein.

**Article Three**

The text of Paragraph (3-3) of Article (3) of Legislative Decree No. (4) of 2001 regarding Prohibition and Combating Money Laundering and Terrorism Finance, shall be replaced with the following text:

**Article (3) Paragraph (3-3):**

Without prejudice to the bona fide of third parties’ rights, any person who commits one of the money laundering crimes shall be sentenced in addition to the prescribed penalty to the confiscation of the funds subject to the crime or any other funds belonging thereto that are equal to the funds subject to the crime.

Upon the lapse of the criminal lawsuit due to the death of the accused, the judge shall order the confiscation of the funds which are proved to have been obtained from the crime.

**Article Four**

The Prime Minister and the ministers - each within his jurisdiction - shall implement 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 at Riffa Palace:

On: 26th Shawwal 1434 A.H.

Corresponding to: 2nd September 2013 A.D.