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**Published on the website on May 2024**

**Legislative Decree No. (14) of 2002**

**with respect to the Exercise of Political Rights**

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

Having reviewed the Constitution,

Legislative Decree No. (10) of 1973 concerning the provisions of Election for the National Assembly,

Upon the submission of the Prime Minister,

And after the approval of the Council of Ministers,

**Hereby Decree the Following Law:**

**Chapter One**

**Political Rights and their Exercise**

**Article 1**

All citizens, both men and women, shall enjoy the following political rights:

1. Express their views in every referendum held in accordance with the provisions of the Constitution.
2. Elect members of the Council of Representatives.

The citizens shall personally exercise the above-mentioned rights in the manner and according to the terms and conditions set forth in this Law.

**Article 2**

In order to exercise the political rights provided for in this Law, every citizen shall fulfill the following conditions:

1. Be twenty years of age on the day of the referendum or election.[[1]](#footnote-1)
2. Enjoy full legal capacity.
3. Have usual residence in the constituency as shown in their CPR card and in case of having a residence abroad, their last place of residence in the Kingdom of Bahrain shall be their constituency. If they have no residence in the Kingdom, their family's residence shall be recognized in this case.

**Article 3[[2]](#footnote-2)**

The following shall be deprived of exercising their electoral rights:

1. Any person who is sentenced in a felony, or a crime breaching honor or integrity until rehabilitated.
2. Any person who is sentenced to imprisonment in any of the election offenses provided for in this Law unless the sentence was suspended or the person was rehabilitated.

The following shall be forbidden from candidacy to the Council of Representatives:[[3]](#footnote-3)

1. Any person who is sentenced in a felony; even if he was pardoned or rehabilitated.
2. Any person who is sentenced to imprisonment in misdemeanor crimes for a period more than six months even if the person was pardoned.
3. The actual leaders and members of political association which dissolved by final judgment for gross violation of the provisions of the Constitution or any of its Laws.
4. Any person who willfully harms or disrupts the course of constitutional or parliamentary life by terminating or leaving their work at the Council or have had their membership to the Council terminated for the same reasons.

**Article 4[[4]](#footnote-4)**

The Public Prosecution shall notify the Ministry of Justice of the final judgments that result in the deprivation of exercising political rights, within fifteen days from the date on which the judgment becomes final.

**Article 5**

For the exercise of the election right, the Bahrain Defense Force, Public Security Forces and National Guard personnel shall be subject to the provisions set forth in the Laws, regulations and directives concerning their service in this respect.

**Chapter Two**

**Voters’ Schedules**

**Article 6**

Every citizen who has the right to exercise political rights shall be registered in the voters’ schedules.

**Article 7**

A Committee called the "Soundness of Referendum & Election Supervision Committee" shall be formed by an order of the Minister of Justice and Islamic Affairs in every electoral district. The Committee shall consist of a Chairman from a judicial or legal system in the Kingdom and two members, of whom one shall be the Secretary.

This Committee shall prepare the voters’ schedules, receive the candidates' applications, examine them, prepare the candidates' lists, examine the applications and objections concerning any procedure or decision to be adopted in respect thereof, and in general, the Committee shall be concerned with supervising the soundness of referendum or election of the Council of Representatives members within its jurisdiction.

**Article 8**

Voters’ schedules for the constituencies shall be prepared according to the following rules:

1. The schedules shall be arranged in the alphabetical order according to the official records and documents, and in co-ordination with the Population Register Directorate at the Central Statistics Organization.
2. The schedules shall include the names of voters according to conditions stipulated for in Article (2) of this Law, taking into consideration the previous participation in the election based on the official records, provided that the voter shall not be deprived or exempt from exercising their political rights at the time of preparing the schedules or during the specific period to correct them. The schedules shall include the voter's name, CPR number and their usual residence address.[[5]](#footnote-5)
3. Two copies of the schedules shall be prepare for every constituency and shall be signed by both the Chairman of the Committee provided for in the preceding Article and the Committee's Secretary. The Committee shall keep one copy of the two schedules and deliver the other to the Ministry of Justice and Islamic Affairs.
4. Voters' schedules shall be displayed, for seven days, in every constituency at the headquarters and public places to be decided by the Minister of Justice and Islamic Affairs at least forty-five days before the date of election.

**Article 9**

The electoral domicile shall be the place in which a person normally resides, or where the person or their family were resident if they reside abroad.

**Article 10**

A voter shall not be listed in more than one constituency.

**Article 11**

No amendment shall be made to the voters’ schedules after the call for a referendum or election, unless it relates to a correction in the schedules according to decisions and judgments handed down in respect of appeals against registration therein, or in accordance with notifications concerning judgments or final verdicts resulting in deprivation from exercising political rights.

**Article 12**

Any person, whose name is not included in the voters' schedules, or if there is an error in the data concerning their registration therein, may request the "Soundness of Referendum & Election Supervision Committee" which is stipulated for in Article (7) of this Law to include their name or to correct the details concerning their registration. Anyone who is no longer subject to any restrictions after drawing up the schedule may apply for the inclusion of their name or to correct the details concerning their registration.

Any voter whose name is registered in one of the voters’ schedules, may request to have the name of a voter whose name was neglected without a justifiable cause or to strike off the name of another person who was unlawfully included or to correct the details concerning the registration, in respect of the constituency's schedules in which the applicant's name is enrolled.

The application concerning the listing or correction shall be presented during the schedules display period.

The Committee shall issue a decision concerning the application within three days from the date of its filing, and if there were no decision issued then the objection is implicitly considered rejected. In case a decision is issued to reject the application, the person concerned shall have the right to appeal against such decision before the Supreme Civil Court of Appeal within a maximum of three days from the date of the decision. The Court shall decide on such appeals within seven days from the date of commencing the proceedings by a final judgment that shall not be contested.

**Article 13**

Voters’ schedules shall be finally amended according to the final judgments or decisions adopted in accordance with the preceding Article, and such final schedules shall be deemed as evidence at the time of exercising any political rights.

 When the schedules become final, a copy thereof shall be kept with the Ministry of Justice and Islamic Affairs, in order to be deposited with the Secretariat of the Council of Representatives.

**Article 14**

The Committees provided for in Article (7) of this Law, shall be formed every time within an ample time before the expiry of the Council of Representatives' term of office.

The provisions laid down in the previous Articles shall apply to the formation of such Committees, their work procedures and the decisions issued by them.

**Chapter Three**

**Regulating Referendum and Election Processes**

**Article 15**

The date of holding the general elections of the Council of Representatives shall be fixed by a Royal Order, which shall be issued at least forty-five days before the date fixed for holding the election.

The date of the supplementary election shall be fixed by a resolution of the Minister of Justice and Islamic Affairs, which shall be issued at least thirty days before the date fixed for the said election.

The order or resolution shall include the opening date for candidature and the closing date.

In the case of a referendum, the Royal Order shall determine the subject matter of the referendum and the date fixed therefor.

**Article 16**

The Royal Order or Ministerial Resolution inviting the voters to the referendum or election shall be announced by its publication in the Official Gazette.

**Article 17**

For the application of the provisions of this Law, the Kingdom of Bahrain shall be divided into a number of electoral districts, and each of them shall include a number of constituencies. For every constituency, one member shall be elected.

A decree shall be issued to determine the electoral districts and constituencies, their boundaries and the number of Sub-committees required to supervise the ballot and counting process.

Every Committee shall consist of a Chairman to be selected from members of the judiciary system or legal professionals practicing in the State ministries, societies and public organizations, and two members, of whom one shall act as the Committee's Secretary. The appointment of Chairman and members of Committees and the Committees' premises, shall be determined by a resolution of the Minister of Justice and Islamic Affairs.

This resolution shall decide who shall replace the Chairman in the event of their absence or when they are unable to carry out their duties. Their replacement shall fulfill the conditions required by the Chairman.

The said Committees shall be assisted by a number of staff members who are appointed by the executive director of the election required by each Committee.

Every candidate may elect a voter who is registered in the voters’ schedule of their constituency to act as their agent on the Sub-committee. The candidate shall submit the name of their aforementioned agent to the Ministry of Justice and Islamic Affairs at least seven days before the date of the election.

**Article 18**

The Minister of Justice and Islamic Affairs shall chair a Supreme Committee for overall supervision of the soundness of the referendum and election of members of the Council of Representatives throughout the Kingdom and to determine all the matters to be referred by the Committees provided for in Article (7) of this Law. The Supreme Committee shall include on its membership a sufficient number of judges and advisors who shall be appointed by a resolution to be issued by the Minister of Justice and Islamic Affairs.

The Supreme Committee shall be assisted by the Central Statistics Organization which shall undertake the preparatory activities for the referendum, election, nominations and supervision of all the required technological duties.

**Article 19**

Keeping order in the premises of the Committees provided for in this Law shall be the responsibility of the Committee's Chairman, and the Chairman may request the assistance of public security forces, but such forces are not allowed to enter the halls of the said Committees unless the Chairman of the Committee makes such a request.

Candidates or their agents may enter the halls of the Sub-committees.

**Article 20**

The Committee's Secretary shall undertake to draw up the minutes and resolutions of the Committee. The minutes shall be jointly signed by both the Committee's Chairman and Secretary.

**Article 21[[6]](#footnote-6)**

The referendum or election process shall continue from 8.00 a.m. to 8.00 p.m. However, if it appears that there are voters at the Sub-committee's premises who have not cast their votes, and they want to do so, the voting shall continue for them only. If all the listed voters cast their votes before the end of the time specified for referendum or election, the Chairman shall announce the end of voting process after the last voter has cast their vote.

**Article 22[[7]](#footnote-7)**

Every voter shall submit to the Sub-committee when they appear for voting, a proof of their identity including their passport or any other accepted official document.

Voters’ schedules are marked - manually or electronically –provided that the voter has voted, and any other way to prove that the voter has cast their vote which the Chairman of the Supreme Committee approves as mentioned in Article (18) of this Law.

**Article 23**

The referendum and election shall occur by a direct secret ballot. Casting the vote in the referendum or election shall occur by making a tick on the ballot paper and in the place designated for voting.

The voter shall not cast their vote more than once in the referendum or the election.

Voters who are illiterate, blind or with special needs who cannot mark their votes by themselves on the ballot paper, should vote verbally, and the Committee Chairman shall mark the voter’s choice in the presence of one of the committee members on the ballot paper which shall then be inserted in the box.

**Article 24**

At the end of the fixed time for the referendum or election, every Sub-committee Chairman shall announce the end of the voting process after making sure that all voters present in the Committee's premises have cast their votes up to that time. This shall be confirmed in the minutes which the Committee's Chairman and Secretary shall sign, and after that the Sub-committee shall commence the counting process.

Every candidate or their agent at the Committee may attend the counting process, but not the Committee's deliberations.

**Article 25**

Every citizen who is registered in one of the Electoral Schedules and is present outside the Kingdom of Bahrain, can cast their vote in the referendum and election in the normal manner or by an electronic method according to the procedures determined by a resolution to be issued by the Minister of Justice and Islamic Affairs.

**Article 26**

All conditional votes, voting in favor of more than the required number to be elected, voting cast on papers other than these prescribed for voting or voting on papers that carry marks indicating the voter's identity shall be regarded as null and void.

**Article 27**

The Sub-committee shall decide all matters related to process of the referendum or election and to adopt its decision in respect of the validity or invalidity of voting.

The Committee's deliberations shall be confidential and shall only be attended by the Committee's Chairman and its members, and decisions shall be adopted by the outright majority.

Resolutions shall be recorded in writing in the minutes of the Committee. Such resolutions shall be substantiated and signed by both the Committee's Chairman and Secretary.

**Article 28[[8]](#footnote-8)**

The Chairman of the Committee stipulated for in Article (7) of this Law in each electoral district shall announce the result of the election of the Council of Representatives members in all the electoral constituency under the Chairman’s electoral district and announce the number of votes obtained by each candidate in the Chairman’s constituency, after receiving all the ballot and counting minutes and the election papers from the sub-committees within the district.

A copy of the result, along with the minutes and the election papers shall be forwarded to the Supreme Committee stipulated for in Article (18) of this Law, which shall make the final announcement of the general result of the election of the Council of Representatives members and inform the winners of their membership.

The General Secretariat of the Council of Representatives, after announcing the election result, shall give every winning member a certificate of their membership in the Council of Representatives.

**Article 29**

The Chairman of the Supreme Committee stipulated for in Article (18) shall announce the result of the referendum upon receiving all the minutes of the Sub-committees.

**Chapter Four**

 **Referendum and Elections Offenses**

**Article 30[[9]](#footnote-9)**

Without prejudice to a more serve penalty provided for in the Penal Code or in any other Law, anyone who commits any of the following acts shall be sentenced for imprisonment for a period not exceeding two years and a fine not exceeding two thousand Bahraini Dinars or either penalty:

1. Intentionally gave a false statement in any of the documents presented relating to the voters’ schedules or by deliberately using any other means to add a name to the schedules or delete a name from it in breach of this Law.
2. Falsified, faked, disfigured, hid, destroyed or stole a voters’ schedule, a nomination form, a ballot paper or any document related to the referendum or the election process with the intention to change the results.
3. Cast a vote in the referendum or election with the knowledge that he is not eligible to vote or if he forfeits the required conditions to exercise the right in these two processes after the schedules were finalized.
4. Violated the freedom of the referendum or election, or its procedures by using force or threat or disturbance or take part in demonstrations or gathering.
5. Used a right in the referendum or election more than once on the voting day or impersonated someone else.
6. Insulted any of the committees mentioned in this Law or any of its members while they were carrying their duty.
7. Published or broadcasted false statements about referendum or election or the conduct of a candidate or the morals of the candidate with the intention to influence the outcome of the referendum or election.

**Article 31** [[10]](#footnote-10)

Without prejudice to a more serve penalty provided for in the Penal Code or any other Law, any civil servant who is concerned with the referendum or election process, who commits a crime stipulated for in the previous Article, shall be sentenced to imprisonment for a period of not more than three years and a fine not exceeding three Thousand Bahraini Dinars or either penalty.

**Article 32**

No judgment shall be delivered for stay of execution of the fine penalty provided for in the preceding two Articles.

**Article 33**

Attempting to commit the crimes provided for in this Law shall be punishable by the penalty laid down for the completed crime.

**Article 34**

Once a criminal case shall lapse a civil claim shall not be heard in respect of the crimes provided for in this Law six months after the date of announcing the result of the referendum or election, or from the date of the last court action concerning it.

**Article 35**

Chairmen of the Committees provided for in this Law shall have full authority given to the judicial enforcement officer with regards to the offenses committed in their premises or are intended to be committed in such premises.

**Chapter Five**

**Final Provisions**

**Article 36**

Legislative Decree No. (10) for 1973 concerning the provisions of election to the National Assembly shall be revoked and every provision that conflicts with the provisions of this Law shall be revoked.

**Article 37**

The Prime Minister and Ministers, each in his respective capacity, shall implement this Law, which shall come into force from the date of its publication in the Official Gazette.

**Hamad bin Isa AI Khalifa**

**King of the Kingdom of Bahrain**

**Khalifa bin Salman AI Khalifa,**

**Prime Minister**

Issued at Riffa Palace

On: 22nd Rabie AI Akher 1423 Hijra,

Corresponding to: 3rd July 2002.

1. Amended by Law No. (36) of 2006. [↑](#footnote-ref-1)
2. Amended by Law No. (36) of 2006. [↑](#footnote-ref-2)
3. Amended by Law No. (25) of 2018. [↑](#footnote-ref-3)
4. Amended by Law No. (36) of 2006. [↑](#footnote-ref-4)
5. Amended by Legislative Decree No. (57) of 2014. [↑](#footnote-ref-5)
6. Amended by Legislative Decree No. (35) of 2002. [↑](#footnote-ref-6)
7. Amended by Legislative Decree No. (57) of 2014. [↑](#footnote-ref-7)
8. Amended by Legislative Decree No. (35) of 2002. [↑](#footnote-ref-8)
9. Amended by Law No. (14) of 2016. [↑](#footnote-ref-9)
10. Amended by Law No. (14) of 2016. [↑](#footnote-ref-10)