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**Published on the website on May 2024**

**Legislative Decree No. (46) of 2012 amending some Provisions of the General Corporation for Sea Ports Law Promulgated By Law No. (61) of 2006**

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

Having reviewed the Constitution;

Law of the General Corporation for Sea Ports promulgated by Law No. (61) of 2006;

And the Legislative Decree No. (76) of 2006 regarding Granting the Concession Right to operate and manage Salman Port and the Concession Right to operate, manage and develop Khalifa bin Salman Port;

And upon the submission of the Prime Minister,

And after the approval of the Council of Ministers;

**Hereby Decree the following Law:**

**Article One**

Definitions one, two and three from Article (1), And texts of articles (2), (4), Clauses (8), (7), (9), (10) and (11) from the General Corporation for Sea Ports Law promulgated by Legislative Decree No.(61) of 2006 shall be replaced with the following texts:

**Article (1) Definitions One, Two and Three:**

Ministry: The Ministry of Transportations or any other ministry designated by a decree.‎

Minister: The Minister of Transportations or any other Minister designated by a decree.‎

**Ports and Maritime Navigation Affairs**: The competent department in the Ministry that undertakes the implementation of the tasks stipulated in this law.

**Article (2):**

Ports and Maritime Navigation Affairs shall undertake the tasks stipulated in this law under the supervision of the Minister.

**Article (4) Clause (8):**

8- Providing free zones and logistical zones for distributing and managing goods in a manner that achieves the benefit of the national economy. A decision of the Council of Ministers shall be issued to define free zones based on the Minister’s proposal, and their regulations shall be determined by a decision of the Minister. Logistical zones and their systems shall be determined by a decision of the Minister.

**Article (7):**

1) The Minister shall supervise the ports and maritime navigation, draw up the policy that governs them, and approve the plans that govern the progress of work therein, and take what he deems necessary to achieve its objectives, and in particular he may take the following:

a) Approval of any prices proposed by the licensee for the provision of services at public service ports within the limits stipulated in the concession contract.

b)Develop systems that determine how to benefit from the services and facilities provided by the licensee.

2) The Minister represents the affairs of ports and marine navigation before the judiciary and in its relations with third parties, and he may deputize the agent for port affairs and marine navigation to carry out the competencies assigned to him under this law.

**Article (9):**

Ports and Maritime Navigation Affairs shall have an agent appointed by a decree.

**Article (10):**

The deputy for Ports Affairs and Maritime Navigation shall be responsible for managing its affairs, exercising its powers, and implementing the decisions of the Minister, and in all of this is subject to the control and supervision of the Minister.

**Article (11):**

Ports and Maritime Navigation Affairs shall have a budget within the Ministry's budget prepared in accordance with the applicable laws and regulations.

**Article Two**

The phrase (ports and maritime navigation) shall be replaced with the phrase (the General Corporation for Sea Ports) contained in the title of Law No. (61) of 2006 promulgating the Law of the General Corporation for Sea Ports, as well as in the title of the accompanying law. The phrase (Minister of Transportation) shall be replaced by the phrase (Minister of Finance) mentioned in Article Three of the articles of issuance of the same law and in other related laws, and the phrase (Ports Affairs and Maritime Navigation) shall be replaced by the word (Corporation) wherever it appears in the aforementioned General Corporation for Sea Ports Law and in other related laws, And the phrase (for the Ministry in order to conduct the affairs of ports and maritime navigation) with the phrase (for the Corporation for the direct purpose) mentioned in Article (5) of the same law, and the phrase (ten thousand dinars) with the phrase (five hundred dinars) mentioned in Article (20) of the same law, And replacing the title of Part Two to become (Competencies for Ports Affairs and Maritime Navigation), Part Three to become (Powers of the Minister), and Part Four to become (Ports Affairs and Maritime Navigation Undersecretary).

**Article Three**

In addition to the definitions contained in Article (1) of the General Corporation for Sea Ports Law promulgated by Law No. (61) of 2006, a definition of the phrase (logistical zone) is added, and two new clauses are added to Article (4) of the same law, No. (15) and (16). Its texts are as follows:

**Article (1) Adding a Definition:**

Logistical zone: An area in which supporting service activities are carried out through which intermediate or finished goods or raw materials are collected with the aim of performing value-added services on them, such as sorting, distribution, packaging, and assembly, then re-shipping or exporting them inside or outside the Kingdom, with the establishment of the facilities necessary to carry out these activities. All applicable laws in the Kingdom of Bahrain apply to that area.

**Article (4) Clauses (15) and (16):**

15 - Representing the Kingdom of Bahrain in all international and regional forums, organizations and bodies related to maritime transport, ports and maritime navigation after the approval of the Minister.

16- Providing advice to all state agencies in the field of maritime transport, ports and maritime navigation.

**Article Four**

Definitions four and five from Article (1), And articles (3), (6), (8), (12), (24) and (25) From the Law of the General Corporation for Sea Ports promulgated by Legislative Decree No.(61) of 2006 shall be repealed.

**Article Five**

All assets, immovable and movable funds, and resources owned by the General Corporation for Sea Ports, as well as its rights and obligations, shall be transferred to the Ministry, as of the date of entry into force of this law.

**Article Six**

Taking into account the provisions of Legislative decree No. (36) of 2011 regarding the controls for entitlement to salaries and benefits for employees of government agencies and institutions, the employees of the General Corporation for Sea Ports shall be transferred to the Ports and Maritime Navigation Affairs with the same grades and all their job rights and benefits gained from their work in the Corporation, with the calculation of their service period within the period of service Necessary to calculate the pension or retirement benefit.

These employees are subject to the provisions of the Civil Service Law and the Law Regulating Retirement Pensions and Benefits for Government Employees.

**Article Seven**

The Minister of Transportation shall issue the necessary decisions to implement the provisions of this law, and until such decisions are issued, the regulations and decisions in force at the time of issuance of this law shall continue to be in force, insofar as they do not contradict its provisions.

**Article Eight**

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,**

**Deputy Prime Minister**

**Mohammed bin Mubarak Al Khalifa**

Issued at Riffa Palace:

On: 9 Dhu Al-Qi'dah 1433 A.H.

Corresponding to: 25 September 2012