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**Legislative Decree No. (71) of 2014 certain Provisions of the Military Penal Code Promulgated by Legislative Decree No. (34) of 2002**

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

Having reviewed the Constitution;

Legislative Decree No. (5) of 1987 regarding the Reserve Force;

And Bahrain Defence Force Law, promulgated by Legislative Decree No. (32) of 2002;

Military Penal Code promulgated by Legislative Decree No. (34) of 2002, as amended by Legislative Decree No. (46) of 2010;

And Judicial Authority Law promulgated by Legislative Decree No. (42) of 2002, as amended;

And upon the submission of the Prime Minister,

And after the approval of the Council of Ministers;

**Hereby Decree the following Law:**

**Article One**

**1)** The name of Legislative Decree No. (34) of 2002, "Promulgating Military Penal Code," shall be amended to "Promulgating Military Judiciary Law.”

**2)** The phrase "Military Penal Code" shall be replaced with "Military Judiciary Law," and the phrase "Director of Military Justice" shall be replaced with "Military Judiciary President," and the phrase "Chief and Members of the Military Judiciary" shall be replaced with "Director and Members of the Military Judiciary," and the phrase "Military Attorney General" shall be replaced with "Chief Military Prosecutor," wherever they appear in the Military Penal Code issued by Legislative Decree No. (34) of 2002.

**3)** The phrase "with a penalty of deprivation of liberty for more than six months" in Article (92) of the Military Penal Code issued by Legislative Decree No. (34) of 2002 shall be replaced by "with a penalty of deprivation of liberty" .

**4)** The phrase "Military Attorney General" shall be replaced with "Chief Military Prosecutor," the phrase "Military Prosecutor A" shall be replaced with "Head of Military Prosecution Branch," and the phrase "Military Prosecutor B" shall be replaced with "Head of Military Prosecution Department" as stated in the equivalent positions of the Military Judiciary attached to the Military Penal Code issued by Legislative Decree No. (34 )of 2002, as amended by Legislative Decree No. (46) of 2010.

**Article Two**

The texts of articles (12) Clause (d), (17), (29) and (31) Clause (a), (132) Clause (b) and (133) of the Military Penal Code promulgated by Legislative Decree No. (34) of 2002 shall be replaced with the following texts:

**Article (12) Clause (d):**

"Officers and members of the Reserve Force, provided that it does not conflict with the provisions of Article (17) of this law.”

**Article (17)**

"The military judiciary has jurisdiction over crimes committed by individuals subject to the provisions of this law, even if they have left the service, provided that the crimes have occurred within its jurisdiction.

It also has jurisdiction over crimes mentioned in Articles (132) Clauses (b, c, d) and (133) of this law, as well as any other crime that involves a breach of the obligations of reserve service in the defence force as provided for in this law or any other law, committed by individuals subject to the provisions of this law after leaving the service.”

**Article (29):**

"The investigation, pretrial detention, and release of the accused shall be carried out in accordance with the rules provided for in the law."

**Article (31) Clause (a):**

"a- Members of the Military Prosecution.”

**Article (132) Clause (b):**

"b- Participated in demonstrations, riots, or political gatherings opposing the Kingdom.”

**Article (133):**

"Any person subject to the provisions of this law who commits one of the following crimes shall be punished with life imprisonment:

A) Enlisting, during or after service, in the service of a foreign state, organization, international body, or any security institutions inside or outside the Kingdom, without obtaining the approval of the competent authorities in the Defence Force.

B) Acquiring the citizenship of a foreign country during or after service, without obtaining the approval of the competent authorities in the Defence Force.”

**Article Three**

**1)** A new article numbered (4 bis) shall be added to the Military Penal Code issued by Legislative Decree No. (34) of 2002, with the following text: **Article (4 bis):** "A military judicial committee shall be established within the Bahrain Defence Force, exclusively responsible for considering appeals submitted by members of the Bahrain Defence Force regarding administrative decisions affecting their employment rights. It is not permissible to appeal against the decisions of this committee or to seek their annulment before any other judicial authority or body. The formation of this committee, the rules and procedures for appeal to it, and its working system shall be determined by a decision of the Commander-in-Chief.”

**2)** At the end of Article (42) of the Military Penal Code issued by Legislative Decree No. (34) of 2002, a new phrase shall be added, with the following text: "Or any judges of the Military Court of Cassation.”

**Article Four**

**1)** The phrase "and its members act on behalf of its Chief" in Article (20) and the phrase "in crimes provided for in the Penal Code or other penal laws" in Article (73) of the Military Penal Code issued by Legislative Decree No. (34) of 2002 shall be deleted.

**2)** Articles (72), (82) Clause (c), and (83) of the Military Penal Code issued by Legislative Decree No. (34) of 2002 shall be repealed.

**Article Five**

The Prime Minister and the ministers -each within his jurisdiction- shall implement 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,**

**Prime Minister**

**Khalifa bin Salman Al Khalifa**

Issued at Riffa Palace:

On: 4 Safar 1436 A.H.

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