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**Supreme Judicial Council**

**Decision No. (5) of 2022 amending some provisions of the Regulation on the Formation and Organization of the General Secretariat of the Supreme Judicial Council promulgated by Decision No. (13) of 2019**

Vice President of the Supreme Judicial Council:

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

Civil Service Law promulgated by Legislative Decree No. (48) of 2010, as amended;

Implementing Regulation of the Civil Service Law promulgated by Legislative Decree No. (48) of 2010, promulgated by Decision No. (51) of 2012, as amended;

And the Regulation on the Formation and Organization of the General Secretariat of the Supreme Judicial Council promulgated by Decision No. (13) of 2019, amended by Decision No. (21) of 2020;

And upon the submission of the Secretary-General of the Supreme Judicial Council,

**Hereby Decides:**

**Article One**

The texts of Articles (24), clause (3), (47) clause (Seventh), and (50) Paragraphs (a) and (b) of the Regulation on the Formation and Organization of the General Secretariat of the Supreme Judicial Council promulgated by Decision No. (13) of 2019 shall be replaced with the following texts:

**Article (24) Clause (3):**

"3- An employee who has been subjected to a salary deduction penalty shall not be promoted until the penalty is erased”.

**Article (47) Clause (Seventh):**

**“Seventh:** If a recommendation from the investigation committee recommends imposing a salary deduction penalty for more than a month or dismissal from service against an employee, the matter shall be referred to the Disciplinary Board formed by a decision from the President. The referral decision shall specify the actions attributed to him”.

**Article (50) Paragraphs (a) and (b):**

"a) Disciplinary penalties that can be imposed on senior position holders or employees at the General Secretariat are as follows:

1- Verbal warning.

2- Written warning.

c- Deduction from the salary, not exceeding three months’ salary for each offence, and not exceeding three months’ salary during the year. The deduction may not exceed ten days' salary in one month.

4- Dismissal from service.

b) Disciplinary penalties imposed on senior position holders or employees shall be automatically erased upon the expiry of the following periods:

1- Six months in case of verbal or written warning.

2- One year in case of salary deduction not exceeding one month’s salary.

3- Two years in case of salary deduction exceeding one month’s salary.

As a result of erasing the penalty, it shall be considered as if it did not exist with regard to the future and does not affect the rights and compensations resulting therefrom. The penalty’s documents, along with every reference thereto, shall be removed from the service file of the employee”.

**Article two**

A new Clause (7) shall be added to Article (19) of the Regulation on the Formation and Organization of the General Secretariat of the Supreme Judicial Council promulgated by Decision No. (13) of 2019, and two new paragraphs shall be added to the same Article with the following texts:

**Article (19) Clause (7):**

"7- The entitlements of the employee whose service has ended, for one of the reasons mentioned in this Paragraph shall be calculated until his last working day".

**Article (19) Second and Third Paragraphs:**

"The provisions of the aforementioned probationary period shall apply to those appointed by contracts, unless their employment contracts stipulate otherwise.

The temporary employee shall be subject to a probationary period if the period of the contract exceeds six months. In case he is retained permanently in his temporary employment position, his temporary employment period of no less than six months shall be added within his actual service period, and he shall not be subject to another probationary period”.

**Article Three**

The the Secretary-General of the Supreme Judicial Council and the concerned - each within his jurisdiction - shall implement the provisions of this Decision, and it shall come into force from the day following the date of its publication in the Official Gazette.

**Vice President of the Supreme Judicial Council**

**President of the Court of Cassation**

**Counsellor Abdullah bin Hassan Al-Buainain**

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