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**Published on the website on May 2024**

**Decision No. (13) of 2019 promulgating a Regulation for the Formation and Organization of the Work of the General Secretariat of the Supreme Judicial Council**

Vice President of the Supreme Judicial Council:

Having reviewed the Law No. (13) of 1975 regarding the Regulating of Pensions and Retirement Benefits for Government Employees, as amended;

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

Legislative Decree No. (39) of 2002 regarding the General Budget, as amended;

Judicial Authority Law promulgated by Legislative Decree No. (42) of 2002, as amended, in particular Article (73 Bis) thereof;

Law No. (27) of 2010 regarding taking a leave during the period of participating in sports games and tournaments;

Civil Service Law ، promulgated by Legislative Decree No. (48) of 2010, amended by Legislative Decree No. (69) of 2014;

Decision No. (33) of 2012 regarding determining the Reward for the Purchase of Virtual Service Period for Employees of Government Authorities;

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

Decision No. (30) of 2013 regarding the Determination of the Salary of the employees in the Executive Grade Seven Eligible for end-of-service promotion;

And the Regulation for the Determination of Salaries, Job Benefits and their Entitlement rule for Employees subject to Civil Service Law, promulgated by Decision No. (77) of 2013, as amended;

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

**Hereby Decides:**

**Article One**

The provisions of the regulations for the formation and organization of work in the General Secretariat of the Supreme Judicial Council attached to this decision shall be enforced.

**Article Two**

The provisions of the Civil Service Law promulgated by Legislative Decree No. (48) of 2010, and its implementing regulations promulgated by Decision No. (51) of 2012, and the regulations for determining salaries and job benefits and their entitlement controls for employees subject to the Civil Service Law, promulgated by Decision No. (77) of 2013, and the instructions and decisions of the civil service shall apply to what is not provided for in this regulation.

The President of the Court of Cassation shall have the powers vested in the Civil Service Bureau in the application of the provisions of these Regulations.

**Article Three**

Any provision that conflicts with the provisions of these Regulations shall be repealed.

**Article Four**

The Secretary-General of the Supreme Judicial Council and the concerned parties, each within his jurisdiction - shall implement this decision, and it shall come into force on 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**

promulgated on: 7 Ramadan 1440 A.H.

**Corresponding to:** 12 May 2019

**Regulation of the Formation and Organization of the Work of the General Secretariat of the Supreme Judicial Council**

**Chapter One**

**Definitions and General Provisions**

**Article (1)**

**Definitions**

In the application of the provisions of these Regulations, the following words and expressions shall have the meanings assigned to each of them, unless the context otherwise requires:

Kingdom: kingdom of Bahrain.

**Council:** Supreme Judicial Council.

President: President of the Court of Cassation - Vice President of the Supreme Judicial Council.

**General Secretariat**: General Secretariat of the Supreme Judicial Council.

**Secretary-General**: Secretary General of the Supreme Judicial Council.

**Assistant Secretary General:** Assistant Secretary General of the Supreme Judicial Council.

**Regulation:** Regulation of the formation and organization of the work of the General Secretariat of the Supreme Judicial Council.

**Senior Positions**: Posts appointed by a Royal Decree or by a decision of the President.

**Director of Administration:** Any person who occupies the position of a director or his equivalent in the General Secretariat or in the bodies affiliated to the Council to which the provisions of these Regulations apply.

**Heads of Departments:** Any person who occupies the position of head of department or the like in the General Secretariat or in the bodies affiliated to the Council to which the provisions of these Regulations apply.

**Employee:** Any person appointed in accordance with the provisions of this Regulation to a position within the organizational structure of the General Secretariat or the bodies affiliated to the Council and to which the provisions of these Regulations apply.

**The Competent Authority:** The authority or the official licensed to take decisions in implementing the provisions of this Regulation.

**Organizational Unit:** Department, section, centre, unit or their equivalent.

**Function:** A set of duties, responsibilities and powers assigned or delegated by the President, which are required to carry out requirements and standards that must be met by those who occupy them to perform these duties, responsibilities and powers permanently or temporarily.

**Article (2)**

**Scope of Application**

The provisions of this Regulation shall apply to all employees of the General Secretariat and the authorities affiliated to the Council to which the President issues a decision to which the Regulations shall apply.

Subject to the provisions contained in the contracts of the contractual employees, the provisions of this Regulation shall apply to the extent that there is no special provision in their contracts.

**Article (3)**

**Delegation of Competencies**

The President may delegate the Secretary-General to exercise any of his powers stipulated in this regulation.

**Chapter Two**

**General Secretariat:**

**Article (4)**

**Duties of the General Secretariat**

The General Secretariat undertakes the implementation of the decisions and recommendations promulgated by the Council, and the training plans and programs for developing the judicial performance it sets, in addition to any other work or tasks assigned to it by the Council. It also undertakes the preparation of the following records:

1- A register of the names of the judges and members of the Public Prosecution, listing their data and the order of their seniority in accordance with the rules contained in Articles (25) and (60) of the Judicial Authority Law.

2- A record for secondments and another for assignments and the renewal of each of them, and the name of the judge or member of the Public Prosecution shall be recorded along with all the procedures taken in this regard.

3- A record of the grievances and objections, in which a summary of each of them and the actions taken in their regard are recorded.

4- A register to record the complaints received by the Council, and the actions taken in their regard.

5- A special record of the correspondences received by the Council, and the measures taken in their regard.

6- A record for keeping copies of the Council's outgoing correspondence, arranged according to the dates of their issuance.

7- A record containing a copy of the formation of the courts and committees at the beginning of each judicial year.

8- A record of the topics that have not been studied, with the necessary data being completed in preparation for a decision on them.

**Article (5)**

**Secretary-General:**

The General Secretariat is headed by a Secretary General, who is assisted by a sufficient number of employees who undertake not to disclose the secrets of their work, whether during or after the service, except in cases prescribed by the law.

The organizational structures, job descriptions and job classification of the General Secretariat shall be determined by a decision of the President on the proposal of the Secretary-General.

**Chapter Three**

**Job Positions**

**Article (6)**

**Job Advertisement**

The competent authority shall notify the Secretary General of the vacancies that it needs to fill. The Secretary-General shall, after the approval of the President, determine the positions that need to be advertised in the local and foreign media, the advertising controls and the examinations prescribed to fill those positions.

The Secretary-General shall issue a decision regulating the procedures and conditions for the advertisement of the positions.

**Article (7)**

**Staff Selection**

Committees shall be formed by a decision of the Secretary-General or whomever he authorizes to conduct the necessary interviews to select the employees for the required positions according to grades, taking into account the specialization and experience.

**Article (8)**

**Terms of Appointment**

Whoever is appointed in the General Secretariat or one of the authorities affiliated to the Council to which the provisions of these Regulations apply shall meet the following conditions:

1- To have the required qualification and the necessary experience to fill the position.

2- His age at the time of appointment shall not be less than seventeen years.

3- To have good conduct and behaviour, and has not been previously sentenced of a felony or misdemeanour involving honour or integrity unless he has been rehabilitated.

4- No final disciplinary decision have been issued against him to dismiss him from service in the General Secretariat or any other government authority, unless at least three years have elapsed since.

5- To be medically fit to carry out the duties of the job, based on a report issued by the competent authority at the Ministry of Health.

6- To successfully pass the designated tests and interviews.

7. It is not permissible to combine two permanent posts in the General Secretariat or in any other authority.

**Article (9)**

**Conditions for Filling the Senior Positions**

A- The Secretary-General shall be appointed by a decision of the President after the approval of the Council, provided that he is a Bahraini national, and his judicial rank is not less than that of the President of the High Court.

B- The Assistant Secretary-General shall be appointed by a decision of the President based on the nomination of the Secretary-General after presenting to the Council, provided that he is a Bahraini national who holds at least a bachelor's degree and has at least nine years of practical experience in the work field of the job.

C- The Director shall be appointed by a decision of the Secretary-General after the approval of the President, provided that he is a Bahraini national who holds at least a bachelor's degree and has at least seven years of experience in the work field of the job.

D- In appointing the senior positions, the following controls shall be observed:

1- The bachelor's degree or its equivalent in the work field of the job must be certified by the Ministry of Education, with the exception of the certificates issued by the public institutions or universities in the Kingdom.

2- For candidates for the post of Assistant Secretary-General or Director, the duration of work experience shall be subsequent to the date of obtaining the required academic qualifications.

3- The master's degree is equivalent to one year of experience, and the doctorate degree is equivalent to two years of experience.

**Article (10)**

**Appointment of Heads of Departments and Staff**

A- The head of the department and his equivalents shall be appointed by a decision of the Secretary-General, and he must be a Bahraini national who holds at least a bachelor's degree and has at least four years of practical experience in his field of work. In special cases determined by the President, a non-Bahraini may be appointed if a qualified Bahraini candidate is not available to fill the post and the interest of work so requires.

B- The appointment of staff in the General Secretariat shall be by a decision of the Secretary-General, after the candidates have fulfilled the conditions prescribed for filling the posts, and the Secretary-General may authorize the Assistant Secretary-General to issue the decision.

**Article (11)**

**Responsibilities of the Secretary-General**

The Secretary-General shall be responsible, in addition to his responsibilities prescribed by the job description of his position, to the President for the following:

1- Manage the administrative and financial affairs of the General Secretariat in accordance with the provisions of the laws, regulations, systems and instructions in force in the General Secretariat, and the instructions issued by the President.

2- Proposing the necessary plans and programs for the development of the judicial performance, and following up the preparing the studies and researches related to the judicial affairs that are submitted to the Council or presented to any of its committees. The Secretary-General shall submit to the Council periodic semi-annual reports on the progress of work in the General Secretariat, the difficulties encountered and the solutions he proposes.

3- Submit a report to the President at the end of each year on the performance of the General Secretariat and its various activities.

**Article (12)**

**Responsibilities of the Assistant Secretary-General**

The Assistant Secretary-General shall be responsible, in addition to the responsibilities prescribed by the job description of his job, to the Secretary-General for the management and proper functioning of the sectors he supervises in accordance with the provisions of the laws, regulations and systems in force in the General Secretariat and the instructions issued by the President and the Secretary-General.

**Article (13)**

**Director's Responsibilities**

The Director shall be responsible, in addition to the responsibilities prescribed by the job description of his job, to the Secretary-General or the Assistant Secretary-General who reports to him, as the case may be, for the proper functioning of his departments in accordance with the provisions of the laws, regulations, systems and instructions in force in the General Secretariat.

**Article (14)**

**Types of Recruitment And Their Controls**

**A- Permanent employment**: The recruitment in which the employee works for an indefinite period of time on a full-time basis throughout the working days, and receives the salary and benefits prescribed for the position he occupies, in accordance with the following controls:

1- The candidate for the job must be Bahraini or a citizen of the Gulf Cooperation Council.

2- He shall pass the examination determined for the position.

3- The job should be vacant according to the approved organizational structure of the General Secretariat, and it has a financial appropriation and within the maximum number of jobs that the president decides annually.

**B- Temporary Employment**: The recruitment in which the employee works under a fixed-term contract full-time throughout the working days, and receives the salary and benefits prescribed for the position he occupies or a lump sum salary as agreed upon between the General Secretariat and the candidate for the job, not exceeding the end of the grade he is assigned to it, in accordance with the following controls:

1- The candidate for the job must be Bahraini or a citizen of the Gulf Cooperation Council.

3- The job should be vacant according to the approved organizational structure of the General Secretariat, and it has a financial appropriation and within the maximum number of jobs that the president decides annually.

-3 The temporary employment shall be for the purpose of covering the urgent needs when some employees go on vacations, or assist in the implementation of some emergency programs or projects, or for other justifications approved by the President.

4- The qualifications required for permanent jobs are the basis for selection in the jobs to be filled under the temporary employment system.

5- Employment shall be for a period not exceeding one year, subject to renewal.

**C- Part-time Employment**: The recruitment in which the employee works according to a contract for a specific period, performed for a period of time less than the full-time scheduled for the daily working hours throughout the working days, and according to which the employee receives a lump-sum salary that is calculated by the hour, day, week, month or segment according to what is agreed upon between the General Secretariat and the candidate for the job and not exceeding the end of the job grade he is assigned to, and provided that the position is vacant according to the approved organizational structure of the General Secretariat and has a financial appropriation.

**4- Contract Employment for non-Bahrainis:** The recruitment in which the non-Bahraini employee works according to the working hours specified in the contract, and receives the salary and benefits prescribed for the job he occupies, or a lump sum salary according to what is agreed upon between the General Secretariat and the candidate for the job, in accordance with the following controls:

1- It is not possible to find a Bahraini candidate who meets the conditions for filling the required position.

2- That the candidate has rare knowledge, skills or experience.

3- The job should be vacant according to the approved organizational structure of the General Secretariat, and it has a financial appropriation and within the maximum number of jobs that the president decides annually.

4- The contracts shall be for a maximum period of two years, subject to renewal after the approval of the Secretary-General.

**Article (15)**

**Job Reclassification**

The employee shall retain his grade and salary if the position he occupies is reclassified to a lower degree, and the Secretary-General shall endeavour to transfer him to a vacant position classified at a degree commensurate with the degree of the position he was occupying when the conditions for its occupancy are met. If this is not possible, the employee shall be placed in a personal capacity on the reclassified job until the appropriate job becomes available.

**Article (16)**

**Appointment within the Projects Budget**

Taking into account the provisions of Article (40) of Legislative Decree No. (39) of 2002 regarding the general budget, it is permissible, by a decision of the Secretary-General, after the approval of the President, to be appointed by virtue of a contract in the jobs specified within the budget of the projects of the General Secretariat, provided that the duration of the contract does not exceed the period of the project implementation.

**Article (17)**

**Re-appointment**

By a decision of the Secretary-General, the employee - who is appointed to a lower grade than the grade determined for his qualifications and experience - may be reappointed in a grade commensurate with it, provided that there is a vacant job that is approved on the organizational structure, with financial appropriation and within the maximum number of jobs that the president decides annually, and that he fulfils the conditions for filling them, provided that he is granted the starting salary of the grade to which he is reappointed or a salary equivalent to his previous salary, whichever is greater, provided that it does not exceed the end of the grade limit for which he is reappointed.

**Article (18)**

**Commencement of Work**

The employee shall not start his work except after the competent authority in the General Secretariat notifies him of that according to the date specified for starting work in the appointment decision. If he does not receive his work within fifteen days without presenting an excuse accepted by the competent authority in the General Secretariat, the decision to appoint him shall be deemed null and void.

**Article (19)**

**Probationary Period and its Effect**

With the exception of those appointed to the senior positions, the employee who is appointed permanently for the first time is subject to a probationary period of six full months without interruption from the date of commencement of work in accordance with the following controls:

1- The Employee is subject to evaluation in accordance with the performance management system.

2- The direct supervisor must carry out a careful follow-up to evaluate the employee’s job performance during the probationary period and provide him with all aid, assistance and guidance to improve his job performance. A month before the end of the probationary period, the direct supervisor of the employee shall submit a report containing the results of the employee’s performance evaluation during this period, and his recommendation based on these results to retain the employee or terminate his service, and the justifications and documents that support his recommendation. The report shall be submitted to the Secretary-General, who shall issue the final decision on the confirmation or termination of the staff member.

3- The employee shall be notified of the decision of the Secretary-General at least five working days before the end of the probationary period, and the probationary period shall be counted within the period of service of the employee upon confirmation in the post.

4- If the probationary period lapses without notifying the employee of the Secretary-General's decision, he is considered confirmed in his job.

5- An employee's service may be terminated during the probationary period by a reasoned decision from the Secretary-General if the employee breaches his job duties in accordance with the provisions of this regulation.

6- The Employee may resign during the probationary period by informing his direct supervisor with a written notice five days before the day of his resignation.

**Chapter Four**

**Institutional and Job Performance Management**

**Article (20)**

**Institutional Performance**

The Secretary General, after the approval of the President, shall set up a system for the institutional performance management with the aim of developing the services provided by the General Secretariat, raising the productivity and efficiency therein, and meeting the needs and expectations of the beneficiaries of its services, provided that this system includes the following controls:

1- Establishing the institutional culture of the General Secretariat that relies on professionalism, integrity and transparency, and supporting its employees to enhance the ability of the General Secretariat to achieve its mission and strategic goals.

2- Developing a mechanism for evaluating and measuring the institutional performance and determining the level of participation in achieving the continuous improvement of the performance of the General Secretariat in the light of the national goals and initiatives and in accordance with internationally recognized standards.

3- Setting rules and standards that support the institutional work environment that encourages the outstanding performance at the level of the employees in the General Secretariat to raise the level of knowledge, efficiency and productivity for them.

4- Identifying means to motivate and reward the departments and sections of the General Secretariat to urge them to perform well.

The Secretary-General shall form, by a decision of the Secretary-General, a committee to prepare an annual report on the results of the evaluation of the institutional performance in the General Secretariat. The Committee shall complete all necessary data on the activities of the General Secretariat in terms of administrative, technical and financial aspects and the system of work in the various departments and sections. All departments and sections shall assist the Committee in the preparation of the report, which shall be submitted by the Secretary-General to the President, recommending the appropriate actions to improve the institutional performance of the General Secretariat.

**Article (21)**

**Employee Performance Appraisal**

The Secretary-General shall, after the approval of the President, establish a system for managing the job performance of all the employees with the aim of assessing their competencies and developing their performance and behaviour, provided that this system includes the following controls:

1- Determining the capabilities and the basic functional elements on the basis of which the performance of the employees is measured, taking into account that these capabilities are compatible with the job level performed by the employees and the objectives they are required to achieve.

2- Developing the performance standards for the work, discuss the expected level of performance for the employee and monitor him continuously according to the specific objectives intended to be achieved according to the prescribed annual plan.

3- Determining the aspects for the performance development for the work and formulate a plan, in addition to determining the aspects of positive support which shall be rendered to the employee in order to promote his level of performance within a specific timeframe.

4- The results of the performance evaluation shall be on an objective basis for taking the administrative decisions related to training, developing, promoting and motivating employees, granting them the raises in their basic salaries, allowances or rewards, providing them with a better work environment, simplifying the work procedures, improving the effectiveness of the administrative policies and systems, evaluating the training programs and their feasibility and other administrative decisions related to improving the job performance.

5- The direct supervisor prepares the job performance appraisal report for the employee at least once a year, and discusses it with him before submitting it to the competent authority - which is determined by the Secretary-General - for approval. The employee is notified in writing or electronically, with a copy of the performance appraisal report once it is approved.

6- If the employee falls sick for more than six months during the year, the performance appraisal requirement is lifted, and all the documents are sent to the Secretary-General to express his opinion on whether or not to grant the employee the annual periodic bonus.

7- If the employee of the General Secretariat is seconded or delegated inside the Kingdom, the entity to which he is seconded or delegated must evaluate his performance during the period of his work there if it exceeds six months, and sends it to his original employer for guidance when preparing the annual report on him.

8- If the employee in the General Secretariat is seconded outside the Kingdom for a period of more than six months, the entity to which he is seconded must evaluate his performance and send it to his original employer for guidance when preparing the annual report on him.

9- If the employee is on a mission outside the Kingdom for a period of more than six months, the receiving party must prepare a report on the results of the study and his behaviour or work during that period, and send it to his original employer for guidance when preparing the annual report on him.

10- If the employee is transferred from one job to another within the General Secretariat, the entity from which he is transferred prepares a report on his performance during the period he spent there after his last evaluation, and sends it to the entity to which he is transferred for guidance in preparing the annual report on him.

11- The employee, within fifteen days from the date of being notified of a copy of the performance appraisal report or an electronic copy thereof, may petition the accreditation authority to reconsider the appraisal, provided that it issues its decision on the petition within fifteen days from the date of its submission. If the petition is rejected, the employee has the right to grieve against his performance appraisal before the Grievances Committee.

**Chapter Five**

**Occupational Health and Safety**

**Article (22)**

**Occupational Health and safety Controls**

The Secretary General, after the approval of the President, issues a decision regulating occupational health and safety measures and procedures, and it includes the following controls:

1- Administrative measures for occupational health and safety in terms of the policy, organization, planning, implementation, evaluation and continuous improvement procedures.

2- Determine the mechanisms to ensure compliance with the occupational health and safety legislation and regulations in force in the Kingdom.

3- Formation of an Occupational Health and Safety Committee in the General Secretariat.

4- Emergency and accident response measures, including first aid measures.

5- Mechanism for collecting and analysing data related to the occupational injuries and diseases according to the requirements of social insurance legislation and regulations.

6- Mechanisms for motivating employees to raise the level of the occupational health and safety at work sites.

**Article (23)**

**Health Insurance**

Without prejudice to the health care enjoyed by the employees of the General Secretariat in accordance with the legislation promulgated in this regard, the General Secretariat shall guarantee to its employees and their families health care, in accordance with the available budget, and the provisions, controls and limits of the health insurance cover shall be issued by a decision of the President based on the proposal of the Secretary-General and after the approval of the Council.

**Chapter Six**

**Promotion**

**Article (24)**

**Promotion Controls**

The promotion of the employee during his service, or upon reaching the end of his job grade, and at the end of his service shall be in accordance with the following controls:

1- The merit and level of performance required for the promotion shall be taken into account in accordance with the job performance management system, taking into account the seniority of the employee if the other criteria for candidates for the higher position are equal.

2- An employee who is suspended from work or referred for investigation or criminal trial for a felony or crime involving a breach of honour or trust may not be promoted during the period of suspension or referral. If it is proved that he is not responsible or is subject to the penalty of alert or warning, upon his promotion, his seniority in the post to which he is promoted shall be restored to the date of his entitlement to it.

3- An employee who has been subjected to a penalty of suspension from work with salary deduction may not be promoted except after the penalty is erased.

4- An employee may not be promoted while he is executing a criminal judgement.

5- If the date of the promotion coincides with the date of granting the increase related to the annual performance, the employee shall be promoted first, then he will be granted the increase related to the annual performance thereafter, and the effect of the promotion shall be from the date of the decision promulgated thereon.

6- The Secretary General shall form a committee whose task is to consider the nominations submitted for promotion, and present its proposals to him in preparation for taking the appropriate decision.

7- Promotion decisions are issued - after fulfilling the prescribed conditions - by a decision of the Secretary-General.

**Article (25)**

**Regular Promotion**

An employee may be regularly promoted on the basis of merit based on the elements of performance, experience and academic qualification, and shall be granted in accordance with the following rules and conditions:

1- The employee must have fulfilled the educational qualification or the professional licences required for the position to which he is promoted, and he must have spent in the grade to which he is appointed the years of service that make up the required interim period according to the job classification system approved and in force in the General Secretariat.

2- The employee's level of performance according to the last evaluation should not be less than a “good” evaluation.

3- The grade to which the employee is promoted shall not be higher than the grade prescribed for the position he occupies according to the approved organizational structure.

4-  The necessary financial appropriation shall be available for the promotion.

5- An employee may not be promoted before one year has elapsed since his appointment or obtaining the last promotion.

**Article (26)**

**Promotion of End of Job**

An employee who has reached the end of his job grade scale shall be promoted to a higher grade than the prescribed grade for the job he occupies in accordance with the following rules and conditions:

1- That the employee has governmental service of not less than fifteen years calculated in retirement.

2- That he has spent, at the end of the rank he occupies, a year of active service calculated in retirement.

3- The employee's current grade should not be higher than the prescribed grade for the position he occupies.

4- That the employee occupies a position on the organizational structure.

5- The employee's performance level, according to the latest assessment, should not be less than “good” evaluation.

**Article (27)**

**Special Promotion**

An employee may be promoted according to the schedule of grades and salaries of the executive positions, a special promotion to one grade higher than the grade prescribed for the position he occupies, with the aim of retaining rare and distinguished competencies in the General Secretariat, or the employee nominated for the promotion may be assigned the task of supervising and managing important programs or projects, in accordance with the rules And the following conditions:

1- The employee does not meet the conditions for the regular promotion.

2- The employee's current grade should not be higher than the grade determined for the job he occupies.

3- It is not possible to reclassify the job the employee occupies to a higher degree, or to promote him to another vacant job that is suitable for his qualifications and experience, with a higher degree.

4- That a financial credit be available for promotion.

5- The employee's performance level, according to the latest assessment, should not be less than “very good” evaluation.

6- An employee may not be promoted before one year has passed since his appointment or his last promotion.

**Article (28)**

**End of Service Promotion**

A- An employee may be promoted at the end of his service for any of the following reasons:

1- Reaching the designated age for leaving the service.

2- Early retirement in accordance with the laws and regulations prescribed for this.

3- Being medically unfit for service.

4- Resignation.

5- Cancellation of the job.

6- Dismissal other than the disciplinary action in accordance with the cases and controls specified in this regulation.

7- Death. Promotion shall be for a period of one year prior to the retirement, provided that one year has passed since the employee received the last promotion, and the financial appropriation for this is available.

B- Occupants of the executive seventh grade who meet the conditions for the end of service promotion shall be granted an increase in the basic salary equivalent to (800) dinars per month for one year prior to referral to retirement in accordance with the provisions of Decision No. (30) of 2013 regarding determining the salary of employees of the seventh executive grade who meet the conditions for the end of service promotion.

**Article (29)**

**Determine the Salary Upon Promotion**

The salary of the employee upon the promotion shall be according to the approved salary scales according to one of the following two methods:

1- The starting salary of the grade to which he is promoted.

2- The value of the sum of two ranks of the grade to which he was promoted shall be added to his basic salary before the promotion, and if the amount falls between two ranks of the grade to which he was promoted, the salary of the higher grade shall be granted, provided that it does not exceed the maximum number of ranks in the grade.

The employee shall be granted the higher salary as referred to in this Article.

**Article (30)**

**General Provisions for Promotion**

a- The promotion is considered valid starting from the date specified in the decision promulgated by the Secretary General.

b- When an employee who occupies a job that falls within the general or specialized salary scales in the shift system is promoted to another job in the regular system, he is first transferred to the regular salary scale with the same grade and rank he occupied before the promotion, and then he is promoted according to the promotion conditions mentioned in the regular system.

c- An employee may be promoted in shifts without first being transferred to the regular salary scale, for those who have worked in shifts for two consecutive years without interruption.

d- A decision shall be promulgated by the Secretary General after the approval of the President to regulate the procedures for promotions and the criteria for their entitlement.

**Chapter Seven**

**Transfer, Delegation, Secondment, Dispatch and Training**

**Article (31)**

**Transfer**

a-An employee may be transferred from one job to another whose grade is not less than the grade of the position he occupies inside or outside the General Secretariat in accordance with the following conditions and controls:

1- The transfer must be by a decision of the Secretary General.

2- The employee must meet the conditions and standards approved to fill the position to which he is transferred.

3- The position to which he is transferred should be on the organizational structure, vacant and have a financial appropriation.

4- Upon transfer, an employee may be promoted if he meets the criteria, rules and conditions of promotion prescribed in accordance with the Regulations.

5- If the employee does not implement the transfer decision within fifteen days from the date of being notified of it, without an excuse accepted by the Secretary-General, he is considered to have refrained from taking over the job, and he will be held disciplinary accountable for that.

6- The transfer of the employee to a job in a government authority outside the General Secretariat shall be based on a request from the competent authority in that entity and by a decision of the Secretary-General after the approval of the President.

b-The Secretary General, after the approval of the President, shall issue a decision regarding the transfer rules and procedures.

**Article (32)**

**Delegation**

An employee may be delegated to temporarily carry out the work of another job within the General Secretariat in the organizational unit in which he works, or another organizational unit, or to carry out the tasks of another job in a governmental authority outside the General Secretariat, in accordance with the following controls and conditions:

1- The position must be vacant due to the absence of the incumbent or the absence of its occupant.

2- The employee must meet the conditions and criteria approved to fill the position to which he is seconded.

3- The secondment period shall not exceed one year, renewable for periods not exceeding three years in total. With the exception of delegation to carry out the tasks of senior positions, the period of the delegation may not be less than five working days.

4- The delegation may be partial in addition to the employee's original work or entirely on a full-time basis.

5- The government entity to which the employee is assigned shall bear the employee's salary, prescribed job benefits and other financial entitlements, and shall evaluate his annual performance, calculate and grant his leave, deduct and pay his retirement contributions, and hold him disciplinary accountable for violations committed during the period of his delegation.

6- To be granted the assignment consideration set forth in accordance with these regulations, in return for carrying out the work of the job to which he is delegated, in addition to the job benefits prescribed for the position to which he is delegated, taking into account the suspension of entitlement to these benefits and that compensation when the delegated employee goes on leave.

7– At the end of the period of total delegation, the employee has the right to return to the same position he held before the delegation, and to retain all its advantages.

8- That the delegation is by a decision of the Secretary-General after the approval of the President.

**Article (33)**

**Secondment**

By a decision of the Secretary-General after the approval of the President, the employee may be seconded after his written approval to one of the entities affiliated with the state and not subject to the civil service law within the Kingdom, one of the government authorities or international or regional organizations, companies affiliated with the state or in which the state owns a share exceeding more than (50%), according to the following controls:

1- The secondment shall be for a period of one year, renewable for similar periods, provided the total of which may not exceed four years, except in cases required by the public interest.

2- The General Secretariat does not disburse to the seconded employee during his secondment period any part of his salary or job benefits determined for his job.

3- Prior to being seconded, the employee has the right to use up his annual leave balance or to retain it until the end of the secondment period.

4- It is permissible, by a decision of the Secretary-General, after the approval of the President, to second any of the employees of the job grades up to the first executive grade to work in the Council of Representatives to assist its members, while continuing to pay his salary and all job benefits determined for his job.

**Article (34)**

**Dispatch on Official and Training Assignments**

It is permissible for the employee to be dispatched on official duties and training assignments in accordance with the following controls:

1- That the dispatch is with the approval of the President and in accordance with the budget approved for that.

2- The official or training assignment is related to the duties and responsibilities of the General Secretariat.

3- First-class air tickets are issued to those in high positions, and with the approval of the President, if they are sent on official missions, tickets may be issued to their companions in the first class, provided that their number does not exceed three companions, and if it is not possible to travel in the first class, tickets may be issued in the business class for these job categories and in proportion to the working conditions, and tickets may be issued on the business class to heads of departments and their equivalents who are dispatched on official or training missions in one of the GCC countries, as well as other employees travelling on long travel trips, and the tickets are in economy class for the other cases.

4- Employees dispatched on official missions, training or study courses outside the Kingdom shall be granted travel compensation to meet the living requirements and other necessary expenses.

5- The Secretary-General shall, after the approval of the President, issue the necessary instructions to regulate the travel procedures of the employees of the General Secretariat and the controls for entitlement to travel compensation according to the travel destination.

6- The General Secretariat shall be committed to the expenses of treatment and the value of medicines for the employee in the following two cases:

A- When the employee is on an official mission outside the Kingdom.

B- When the employee is on a mission, scholarship or training programme outside the Kingdom.

The employee shall present his employer with the documents showing the treatment costs and the value of the medicines, certified by the competent medical authority at the Ministry of Health.

The General Secretariat shall not be obliged to pay the expenses of dental prosthesis of any kind, or the value of glasses, prescription lenses, or prosthetics, unless this results from a work injury due to the performance of the functions of the job.

**Article (35)**

**Training**

The Secretary General shall establish a system for training the staff of the General Secretariat who are subject to the regulations in accordance with the following controls:

1- Providing training and study opportunities for employees in an equal manner, provided that priority is given to training them inside the Kingdom at the Institute of the Public Administration. The Secretary-General may send employees for training outside the Kingdom if this is not possible inside it.

2- Determining the training needs according to the career development paths, the objectives of the organizational unit in which the employee works, the results of the job and institutional performance evaluation reports, and the annual budget allocated to it.

3- Forming of a training committee of specialists in the field of planning and developing human resources in the General Secretariat, whose competence is to supervise the implementation of the training system there.

4- The employee on a mission for training or study programs for a period of more than three months is obligated to sign an agreement according to the form prepared for that. Without prejudice to the provisions of this agreement, the employee must work in the General Secretariat for a period similar to the period of his mission, otherwise he is obligated to refund the training, study and travel expenses in full.

5- The General Secretariat may bear the educational costs of the employee in whole or in part by a decision of the Secretary General after the approval of the President, provided that this is within the plan to develop the career path of the employee according to the position he occupies or that he will occupy in the future, taking into account the availability of the necessary budget for that.

6- The employee's training period is included in his service period, during which he is entitled to all the rights and benefits prescribed for his job. The person dispatched by the General Secretariat on a mission for training or study scholarship shall be paid his salary and the job benefits prescribed for him during the training or study program. The period of the dispatching in a mission for training or study scholarship shall be included in the eligibility for the promotion and the calculation of the period of service calculated in retirement.

**Chapter Eight**

**Working hours, Public and Weekly Holidays and Vacations**

**Article (36)**

**Working Hours**

Working hours in the General Secretariat are subject to the following rules:

1- The normal working days per week are from Sunday to Thursday, and the weekly working hours are thirty-six (36) hours, provided that the president, based on the proposal of the Secretary-General, determines the beginning and end of the official working hours, and the employee whose work tasks require more than (36) hours is granted In return for the additional hours according to the system in force in the General Secretariat.

2- The Secretary General, after the approval of the President, issues a decision regulating the working hours of employees who are compelled by work conditions to attend outside official working hours, in accordance with the nature of the work of each organizational unit, and achieves the interest of the work in the General Secretariat.

3- Women may not be employed at night except in exceptional and emergency circumstances determined by the General Secretariat and approved by the President.

**Article (37)**

**Over Time Work**

The General Secretariat may assign an employee to do additional work after the official working hours and during holidays, provided that the Secretary General, after the approval of the President, issues a decision to organize the overtime hours according to the following controls:

1- With the exception of the holders of senior positions, the employee shall be entitled to compensation for the work or additional working hours assigned to him by the General Secretariat outside of official working hours, and the number of overtime hours may not exceed thirty hours per month without the approval of the Secretary-General.

2- Overtime work shall be of an urgent nature and may not be performed during the official working hours. Overtime work may only be used after all other ways and means to organize work within the official working hours have been exhausted.

3- That the assignment of the overtime work be approved after ensuring the availability of the financial appropriation for that in the budget of the General Secretariat.

4- The employee is entitled to an additional wage for each additional working hour, and the financial compensation is determined according to the following percentages:

a-(125%) for additional work that takes place after the official working hours.

b-(150%) for additional work that takes place during holidays and times from seven in the evening until seven in the morning.

5- Assignment of overtime work shall be by the Secretary-General, the Assistant Secretary-General or the concerned director only, and within the limits of the hours authorized for each of them according to the system in force in the General Secretariat, and the disbursement shall not take place after the approval of the Secretary-General. In the event that the necessary budget for disbursement is not available, the employee shall be compensated with rest hours equal to the overtime hours assigned to the employee.

**Article (38)**

**Annual Leave**

Employee leaves are in accordance with the following rules and conditions:

1- The employee is entitled to an annual leave with pay at the rate of thirty working days for each year of service, an average of two and a half working days per month, and the employee shall retain the balance of his annual leave not taken, provided that the total balance transferred to the following year does not exceed seventy-five working days.

2- Weekends, official events and other legally prescribed holidays are not included in calculating the annual leave.

3- An employee's entitlement to the annual leave is calculated for the first time from the date of commencement of work, and he may not take leave until the probationary period is passed successfully.

4- The employee is granted the annual leave within the limits of his balance thereof after the approval of his line manager, and the employee must return to work immediately upon the end of his leave, and it may not be extended except upon the approval of his direct supervisor before the end of his leave. Supervisors at all administrative levels shall coordinate with the employees working under their supervision to set a time schedule - approved by the Secretary-General or whomever he authorizes - that organizes employees vacations, taking into account the requirements of the workflow and the conditions of the employees in order to avoid the employee losing his annual leave in excess of the maximum permissible limit.

5- The balance of an employee's regular annual leave is calculated in days, not hours. However, it may be calculated in hours, so that the employee benefits from less than a full day's annual leave.

6- The entity to which the employee is affiliated may not postpone or shorten the annual leave after the approval thereof except for reasons required by the interest of the work, provided that the employee is entitled to it or what is left of it later in the same year. Based on the approval of the Secretary-General, the employee may be recalled from his annual leave and return to work before the expiration of its period if the interest of the work so requires. In this case, the actual days during which he worked during his leave shall be added to his leave balance or his leave shall be extended by the equivalent of these days.

7- An employee may not remain on the job for more than two consecutive years without going on an annual leave, provided that this total leave is not less than twenty-two working days, and the competent authority in the General Secretariat must follow up on its implementation.

8- The employee’s annual leave balance includes periods of absence authorized with pay, including the annual leave, sick leave, other paid leaves and special unpaid leaves that do not exceed thirty days.

9- At the end of his service, the employee shall be entitled to a cash allowance for the balance of his annual leaves that he did not benefit from, provided that it does not exceed the maximum limit allowed for transfer to the following year, in addition to the leave due for the year during which his service ended or at the end of it, calculated on the basis of the last salary he received.

**Article (39)**

**Sick Leave**

The sick leave shall be in accordance with the following rules and conditions:

1- The employee is entitled to a paid sick leave based on approved medical certificates at a rate of twenty four working days per year, at the rate of two working days per month.

2- The employee retains the balance of his sick leave from which he has not benefited, provided that this balance does not exceed two hundred and forty (240) working days.

3- The employee must inform his direct supervisor about the sick leave, unless there is a compelling excuse preventing this.

4- The competent medical authority at the Ministry of Health is responsible for determining the health fitness of the employee in relation to the performance of the duties of his job, the validity of the medical certificates submitted by him, and determining the periods of health incompetence or disability due to illness. And if that authority finds at any time that the employee is medically unfit to carry out his work duties, it issues a decision to that effect and notifies the General Secretariat to take what it deems appropriate regarding him, such as terminating his services for unfitness.

5- The sick leave shall not be approved for a period of one working day to five working days except by virtue of a medical certificate submitted by the employee, and the direct supervisor may disregard the request for a medical certificate if the leave is for one day, and in the event that the direct supervisor suspects the validity of the medical certificate submitted, the employee shall be referred to the competent medical authority at the Ministry of Health to prove its authenticity. Periods of absence due to illness exceeding five working days must be supported by a medical certificate approved by the competent medical authority at the Ministry of Health.

6- The General Secretariat may grant an employee who has exhausted his sick leave balance an additional sick leave with a salary not exceeding sixty working days, if the competent medical authority at the Ministry of Health deems that his condition so requires, provided that his service period is not less than one full year. The additional sick leave may be granted again in accordance with the conditions and controls set forth in this Article, provided that one full year has elapsed since the date of commencement of the additional sick leave granted to him.

7- An employee who is sick with diabetes, kidney failure, liver failure or suffers from other chronic diseases and who has exhausted his balance of sick leave and additional sick leave shall be entitled to another additional leave with a salary not exceeding thirty working days once during the year, if the competent medical authority at the Ministry of Health deems that his condition requires it.

8- Sick leave is counted within the period of service for which the employee is entitled to an end-of-service reward or a retirement pension.

9- In order to approve the sick leave due for a day or more outside the Kingdom, it must be approved by its embassy in the country where the sick leave was spent, if any.

10- Included in calculating the employee’s sick leave balance are periods of absence authorized with pay, including annual leave, sick leave, other paid leave, and special leave without pay that does not exceed thirty days.

**Article (40)**

**Paid Leave**

The employee shall be entitled to special leave with salary, as follows:

**1- Marriage Leave:** It is granted for three working days and for one time throughout his service period, provided that the employee submits a true copy of the marriage contract.

**2- Pilgrimage Leave:** It is granted to the Muslim employee to perform Hajj for a period of twenty-one days and for one time throughout his service period, whether current or previous.

**3- Maternity Leave:** It is granted for a period of sixty days to a female employee who gives birth, and it starts from the first day of delivery recorded in the approved medical certificate, provided that the employee informs her employer, and it is permissible, at the request of the employee, to obtain it before the estimated date of delivery by a period not exceeding fifteen days.

**4- Death Leave:** The husband or wife, as the case may be, is granted a death leave for a period of three days in the event of the death of one of them or a relative up to the fourth degree, provided that the employee informs the General Secretariat of the death incident, and presents the death certificate to the competent authority in the General Secretariat with an explanation of the kinship relationship with the deceased after his return to work, and in the event of the husband's death, the death leave is counted as part of the iddah leave.

**5- Death of Husband (Iddah) Leave:** It is granted for a Muslim female employee whose husband died, four months and ten days from the date of the husband's death, and the employee shall inform the General Secretariat of her husband's death, and if the employee in Iddah is pregnant and she gave birth during her Iddah period, she shall not be compensated for the maternity leave. and she is granted the rest of her maternity leave if this leave exceeds the period of Iddah provided for by law. In all cases, supporting certificates shall be presented.

**6- Patient Accompany Leave:** It is granted to the employee to accompany a patient close to him of the first degree if the attending physician determines his need for a companion during his treatment inside the Kingdom, provided that it does not exceed seven consecutive or intermittent days in one year.

The employee is also granted a leave to accompany a patient from his relatives up to the fourth degree if the competent medical committee decides to treat him outside the Kingdom with his companion, for the prescribed period of treatment, provided that it does not exceed sixty days in one year, whether continuous or intermittent.

An employee is granted a leave to accompany a cancer patient with a first-degree relative if the medical committees decide that he needs a companion during his treatment inside or outside the Kingdom in accordance with the applicable regulations.

**7- Leave for Contact with a Patient with an Infectious Disease:** This leave is granted according to the period determined by the competent medical authority at the Ministry of Health if it deems that the employee is prevented from practising his work for this reason, provided that the employee informs the General Secretariat of this and submits upon his return to work the supporting certificates.

**8- Health Quarantine Leave:** It is granted according to the period determined by the competent medical authority at the Ministry of Health, provided that the employee informs the General Secretariat, and upon his return to work, submits the supporting certificates.

**9- Cultural Delegation Participation Leave:** It is granted to represent the Kingdom according to the period required for the participation, and this leave is subject to the following rules:

a- That the participation request be issued by an official letter from the competent government authority to the General Secretariat, which includes specifying the duration of the event in which participation will take place, its venue and the organizing authority.

b- This participation shall not disturb the workflow in the organizational unit in which the employee works.

c- The approval of the Secretary-General is required for this leave.

**10- Work Injury Leave:** It is granted according to the period determined by the competent medical authority, taking into account the following controls:

a- That the injury is a result of the employee's performance of his job duties or because of it, or any other duties that he is officially entrusted with.

b- That the organizational unit in which the employee works informs the competent authorities of the injury immediately upon its occurrence.

c- The period of leave due to injury is not counted from the sick leave or any other leave.

**11- Breastfeeding Leave:** Upon her return to work after maternity leave, the female employee shall be entitled to two hours of care per day with a salary to breastfeed her newborn until he reaches the age of two years, the timing of which shall be determined as required by the interest of work, provided that the employee submits to the employer the medical certificates supporting this.

**12- Leave for People with Disabilities and their Caregivers:** An employee with a disability or who is caring for a person with a disability from his first-degree relatives shall be granted two paid hours of rest per day, in accordance with the applicable conditions and controls.

**13- Exam Leave:** It is granted for a period not exceeding thirty working days per year to perform a study exam according to the following conditions:

a- The employee should notify the General Secretariat when he joins the study and the place where he is studying, and submit the documents proving that.

b- The institution in which he is studying should be academically recognized by the competent authorities in the Kingdom.

c- The employee should notify the competent authority in the General Secretariat of the date of the exam well in advance of its date.

d-When applying for the leave, the employee shall present proof of his submission to take part in the examination.

e-the leave can be divided into different periods during the year, and the leave is calculated according to the academic examination timetable set by the educational authority.

f-If the academic exam is held outside the Kingdom; The employee is entitled to leave for the academic exam on the days of the exams determined in the study schedule approved by the educational authority and the days in between, in addition to the day before the first exam and the day after the last exam for reasons of travel.

**14- Leave to Prepare for and Participate in Sports Games and Tournaments:** This leave is granted to the employee in accordance with the controls and conditions stipulated in Law No. (27) of 2010 regarding the leave during the period of preparation and participation in sports games and tournaments.

**Article (41)**

**Leave for Employees Under Contracts**

Employees under contracts are subject to the provisions of their contracts, and the provisions of these regulations are applied in respect of what is not stipulated in those contracts.

In the event that the employee transfers to work in another entity, he shall be paid for his leave balance due to him at the General Secretariat, not exceeding seventy-five days.

**Article (42)**

**Special Unpaid Leave**

a-A special leave without pay is granted to the husband or wife if one of them is authorized to travel abroad for a period of at least six months, and this leave may not exceed the period of the husband or wife’s stay abroad, and the General Secretariat must respond to the request of the husband or wife in this case.

b-The female employee is entitled to a special unpaid leave to care for her child under the age of six, for a maximum of two years at a time and three times during her period of service.

c-The employee may benefit from special unpaid leave to attend studies or research or for any other reason expressed by the employee and assessed by the General Secretariat in accordance with the requirements of work regularity.

d-The period of leave in the above-mentioned cases is not included in the period of service which is included in the calculation of the pension or benefits in accordance with the provisions of Law No. (13) of 1975 regarding the organisation of pensions and retirement benefits for government employees.

**Article (43)**

**Leave Procedures and Controls**

The Secretary General, after the approval of the President, shall issue a decision regulating the procedures that must be followed and the controls related to leaves of all kinds.

**Chapter Nine**

**Prohibited Duties and Activities**

**Article (44)**

**Duties**

The employee shall do the following:

1- To allocate the official working time to perform the duties of his job, while not being absent from work and leaving his designated places without a permit from his direct supervisor. The employee must notify him if he is unable to come to work before the start of the official working hours in a sufficient time.

2- His behaviour should be consistent with the traditions and due respect for the ethics, honour and dignity of his job and the authority in which he works.

3- To be cooperative with his colleagues in his work, and to treat the beneficiaries in an appropriate manner, while fulfilling their interests in a timely manner.

4- To respond to the training and development programs prepared by the General Secretariat, and shall constantly strive to develop his own skills and abilities to improve his job performance.

5- To preserve the properties and funds of the General Secretariat, the assets in his custody and the tools with which he works.

6- To implement the orders and instructions issued to him accurately and faithfully within the limits of the applicable laws, regulations and instructions.

7- To observe ethical, human, social and judicial values with his superiors, subordinates and others.

8- To refrain from taking any action that may offend the judiciary or any of the state’s authorities and institutions, the Council, the General Secretariat or its employees.

**Article (45)**

**Prohibited Works**

a-The employee is prohibited from doing the following:

1- Violate the rules and provisions stipulated in the applicable laws, regulations and instructions.

2-Violate the rules and provisions stipulated in the general finance law, the regulations and decisions issued for its execution, and all financial rules.

3- Violate the rules and provisions stipulated in the Legislative Decree No. (36) of 2002 regarding the organization of government tenders, auctions, purchases and sales, and the regulations and decisions issued in implementation thereof.

4-Make any statement in the name of the General Secretariat to any of the media outlets, unless he is authorized to do so in writing by the Secretary General.

5-Disclose of matters that come to his knowledge by virtue of his position if they are confidential in nature or according to instructions to do so, and this obligation remains in place after the employee leaves the service.

6-Keep for himself the original or a copy of any of the official papers, or extract an original or a copy from the files designated for keeping them, or keep for himself the original or copies of recording tapes, films, copies, software or application programs related to the computer of the General Secretariat, even if they are related to the work assigned to him personally.

7-Exploit his job or the information he gets because of the job for any personal purpose for himself or for others, or that would harm others.

8-Call, threaten, take part in or instigate strikes.

9-Participate in riots and vandalism of public or private property.

10- Organize unauthorized or undeclared assemblies and sit-ins, participate, call for or incite to participate, and not take into account the law regulating this.

11-Exploit a minor - who is under the age of (18) years - to participate in any of the activities stipulated in Clauses (8), (9) and (10) of Paragraph (a) of this Article.

12- Accept any gift, reward, commission, tip, financial or in-kind advantage, or loan in exchange for performing the duties of his job, or collect any sums or in-kind materials for any individual or authority, or participate in organizing meetings inside the workplace without the permission of the Secretary-General.

13- Distribute leaflets or prints or collect signatures inside the workplace.

14- Practice any political or sectarian activity that contravenes the laws in force in the Kingdom and the regulations of the General Secretariat.

b-The employee may not practice by himself or through others the following activities:

1- Practising any commercial business except for his owning a share in a commercial company, through legitimate inheritance or through a gift from one of his relatives up to the fourth degree, provided that he does not engage in any work in that company.

2- Being a member of the Board of Directors of any joint stock company without the permission of the Secretary-General.

3- Having any interest in any business, contracting, tenders or auctions related to the work of his position.

4- Purchasing real estate or movables offered for sale by the judicial authority.

5- Purchasing real estate or movables offered by the administrative authority for sale, if this is related to the work of his position.

6- Renting lands or real estate with the intention of exploiting them if this exploitation is related to his work.

7- Undertaking the work of custodianship of funds in which he is a partner or owner of an interest or belonging to those with whom he is related by a family or lineage up to the fourth degree, except with the permission of the Secretary-General.

c-The employee is entitled to perform work for others, with or without pay or bonus, outside official working hours, provided that such work does not conflict with the nature of his position or undermine his dignity or the dignity of the job, the general secretariat or the authority to which he belongs.

d-The employee is entitled to undertake work of guardianship, trusteeship or temporary work on behalf of the absentees, or of legal assistance if the person covered by the guardianship, trusteeship, absentee or designated legal assistant is one with whom he is related by a family or lineage up to the fourth degree.

In the matter of disciplinary responsibility, the employee shall be subject to the provisions of the violations and penalties in the Civil Service Law.

**Chapter Ten**

**Administrative Investigation and Discipline**

**Article (46)**

**Controls for Administrative Investigation and Discipline**

a-Every employee who violates the provisions of this regulation, the decisions or instructions implementing it, deviates from the requirements of duty in the work of his job or appears in an appearance that violates the dignity of the job or the dignity of the entity for which he works shall be subject to a disciplinary punishment, without prejudice to the criminal or civil liability when needed.

b-With the exception of the holders of senior positions and their equivalents, the competence to refer the employee to investigation and to impose the disciplinary sanctions on him is by a decision of the Secretary-General.

c-The president is concerned with referring the occupants of senior positions and their equivalents to the disciplinary accountability, and impose the disciplinary sanctions on them. The president is also responsible for determining the authority that undertakes the investigation with them, and he may directly assign this authority to a disciplinary committee from the General Secretariat or from authorities with judicial or legal expertise that he forms for this purpose.

d-It is not permissible to impose more than one penalty for each violation.

e-The penalty may not be imposed on the employee except after interrogating him, hearing his statements and documenting his defence in writing. The decision imposing the penalty must be justified, and it is permissible for violations in which the penalty is a verbal or written warning that the investigation be verbal, provided that its content is documented in the decision issued to impose the penalty.

f-The employee may be suspended from his work if the interest of the investigation or work so requires, for a period not exceeding six months with the payment of salary during the period of the suspension, and the salary in the provision of this paragraph means the basic salary and social allowance only, so no other job benefit may be paid during the period of suspension from work for the benefit of the investigation or work, and the suspension from work may be extended for other periods with the payment of half the salary - in the same sense referred to - if the suspension from work has its reasons and the necessity Required by the interest of the investigation or work. The suspension shall be by a decision of the President for the occupants of senior positions and their equivalents, and of the Secretary-General for the rest of the employees.

g-Any employee who is held in provisional detention shall be deemed suspended from his work for the duration of his detention and the payment of half of his salary is suspended for the duration of the period of detention. Salary in this paragraph means the basic salary and social allowance only, and no other functional benefit may be paid during the period of pretrial detention. After its completion, the employee shall be paid all of the above suspension if the investigation is closed or he is acquitted, as well as the previous suspension of his salary and job benefits, if he is referred to the disciplinary accountability and may be subject to a disciplinary sanction other than dismissal from service.

h-An employee may be suspended from work if he is referred to a criminal investigation or during a criminal trial, for a period of six months, with the full salary paid during the suspension period. Suspension from work may be extended for other periods with the payment of half of the salary if the suspension from work has its reasons and is necessary for the interest of the investigation, work or trial. In all cases, suspension from work and its extension shall be by a decision of the president with regard to the holders of senior positions and their equivalents, and by the Secretary-General with regard to the rest of the employees, all in accordance with the controls stipulated in Clause (Third) of Article (47) of this regulation.

i-Every employee who is imprisoned in implementation of a judicial ruling is considered suspended from his work and deprived of his salary and all the job benefits. His basic salary and social allowance may be disbursed only to his dependent family if the imprisonment period exceeds three months, provided that it is deducted from his retirement dues upon his retirement. The Secretary-General may reinstate the staff member after the expiry of the period of detention, without prejudice to disciplinary liability, if necessary.

j-If a staff member is charged with a criminal charge, he may be disciplined for it if such charge represents a departure from the duty in the work of his job or would violate the dignity of the job or the authority to which he belongs. An order to close a criminal investigation or an acquittal shall not preclude the disciplinary accountability if the reasons for such investigation are available.

k-The termination of the service of a staff member for any reason - other than death - shall not prevent him from being disciplined if the investigation was initiated before the termination of his service.

In cases of violations that result in the loss of a right of the Public Treasury, the employee is subject to disciplinary accountability, even if the investigation has not been initiated before the termination of the service, for a period of five years from the date of its termination, and a person whose service is terminated upon conviction may be fined not exceeding five times the salary he received at the time of termination of his service.

**Article (47)**

**Administrative Investigation**

With the exception of the occupants of senior positions and their equivalents, the following controls shall apply to the investigation of all employees:

**First:** The employee shall be subject to a written investigation of any violations he commits, with the exception of violations for which the penalty is a verbal or written warning, in the following manner:

1- The Commission of Inquiry shall be formed by a decision of the Secretary-General and shall consist of a chairman and at least two other members.

2- The chairman and members of the committee shall be experienced, competent and impartial employees.

3- The grade of the chairman of the Committee and the grade of the other members shall be higher than or at the level of the employee referred to the investigation.

4- The chairman or a member of the committee shall not be a direct supervisor or manager of the employee or has a kinship or affinity with him.

5- If the investigation committee deems that the violation attributed to the employee constitutes a criminal offence, it shall present the matter to the Secretary-General, to inform the competent authorities after the approval of the president, and the Committee may continue to hold the employee disciplinary accountable after the approval of the Secretary-General. The Secretary-General may suspend the disciplinary proceedings until an order or sentence is issued in respect of such an offence. The issuance of a decision to keep the papers administratively, or an order that there is no basis for filing a criminal case, or an acquittal ruling, does not preclude the disciplinary accountability if its reasons are available.

6- When preparing its recommendations, the investigation committee shall take into account the following:

a-The prior administrative action that was taken to resolve the violation.

b-The nature and consequences of the violation alleged against the employee.

c-Previous conduct violations of the employee, their recurrence and severity.

d-Misunderstanding, estimation, concealment, participation or incitement to commit a violation.

e-The extent of the employee's ability to control the events and situations that led to the occurrence of the violation in terms of time, place or sequence of events.

f-The degree to which previous measures of direction and correction have been taken with the aim of giving the employee the opportunity to improve his performance and behaviour.

g-Taking into account the material and moral costs resulting from replacing an employee with the employee referred for investigation in the event of a recommendation for dismissal or affecting the smooth running of work in the event of suspension.

h-Extremism if the breach involves deliberate disrespect or contempt for the public authorities.

i-The progressive imposition of sanctions.

j-The investigation committee may, before preparing its recommendations to present them to the competent authority, hear any extenuating circumstances or reasons that the employee wishes to disclose.

7- The investigation committee shall, upon its completion, submit its reasoned recommendations to the Secretary-General within a period not exceeding ten days from the date of completion of the investigation. The recommendations shall be any of the following:

a- Reserve the investigation for lack of suspicion of violation.

b-Suggest that the appropriate penalty be imposed on the employee.

c-If required, it is permitted to recommend that the employee pay compensation for any damage to public property.

8- The Secretary-General may, within a period not exceeding fifteen days from the date on which the investigation committee submitted its recommendations to him, issue a reasoned decision in one of the following two matters:

a-Return the investigation report to the Committee if it deems the penalty to be increased.

b-To endorse, revoke or modify the committee's recommendations.

**Second:** With regard to violations for which the penalty is a verbal or written warning, the Secretary General may, instead of forming an investigation committee, assign the task of investigation to an employee with experience, competence, integrity and impartiality whose job level is not less than the job level of the employee referred to investigation. The investigation with the employee may be verbal in these cases, provided that its content is documented in the decision imposing the penalty.

**Third**: Suspension of the employee from work in the interest of the investigation or work shall be in accordance with the following controls:

1- The employee shall be notified of the suspension decision as soon as it is made.

2- The employee shall sign the acknowledgement of receipt.

3- If the employee refuses to sign this notification, this refusal to sign shall be proved by the notifying authority and the seal of the competent authority shall be affixed, and in this case the employee shall be deemed to have been legally notified.

**Fourth**: If it is proven to the General Secretariat or there is a reason to believe that the employee has committed, or is suspected of committing, one of the violations for which the legally prescribed penalties are imposed, the employee shall be referred to the investigation committee stipulated in this article.

**Fifth:** In all violations or suspicions, an employee may not be investigated unless he is notified of the decision to refer him to the investigation or to order an investigation.

**Sixth**: The employee referred to the investigation shall have the right to view the investigation procedures and all papers related thereto and to obtain a copy thereof.

**Seventh:** If the investigation committee recommends imposing a penalty of disciplinary dismissal from service against the employee or holder of a senior position; He must be referred to a disciplinary board formed by a decision from the president, and the referral decision to the disciplinary board must include a specific statement of the acts attributed to the employee or holder of a senior position.

**Eighth:** The Disciplinary Board consists of a chairperson, a vice-chairman, and at least three other experienced members, whether from the General Secretariat or from other authorities.

**Ninth:** The rank of the head of the disciplinary board, his deputy and the other members must be higher than or at the same level as the employee referred to the disciplinary accountability.

**Tenth:** The president of the Board of Directors, his deputy or the member shall not be a direct superior or director of the employee, be related to him nor participate in the investigation committee which issued the recommendation for dismissal against the employee.

**Article (48)**

**Investigation Committee Procedures**

The investigation committee shall follow the following procedures with the employee:

1- Notify the employee in writing within a period not exceeding fifteen days from the date of referral for investigation to appear before the committee of the violation or violations alleged against him, the notification shall include a brief statement of the facts constituting the violation or violations and the date of their occurrence, provided that the employee signs the notification acknowledging receipt.

2- The employee shall be notified in person or by the registered mail at his place of residence indicated in his service record or at the place of residence of one of his relatives whose names are entered in his service record, or by any other means that the committee investigation deems appropriate.

3- In the event that the employee refuses to sign indicating that he has received the notification, the notification authority must prove his refusal to sign and put its stamp on the notification. In this case, the employee is considered to have been legally notified, and the investigation committee may proceed with the procedures in his absence unless it considers re-notifying him again for the reasons it deems appropriate, provided that it records them in the investigation record.

4- The investigation may only take place in the presence of the employee and the investigation may take place in his absence if the interests of the investigation or the employee's situation requires so.

5- The investigation shall begin with proving the employee's name, job, grade, age, summary of the violation or violations attributed to him and the date of the decision to refer him to the investigation.

6- The Investigation Committee shall hear the statements of all witnesses to the allegations attributed to the employee, from among the employees and others, if any, and shall summon experts and others as it deems necessary to hear their statements, and shall permit the employee to confer with them if necessary. Witnesses must observe the sincerity and honesty of the statements they make. Concealment of testimony, giving false testimony or reversing it is considered a violation that requires accountability. If the witness is not an employee, the competent authority must be notified to conduct its affairs regarding him.

7- After completing hearing the prosecution witnesses, the Investigation Committee shall hear the statements of the employee if he wishes to make them verbally or in writing, and review any documents submitted by the employee, then it shall hear the statements of the defence witnesses, if any.

8- In order to conduct his defence, the employee may be assisted by whomever he deems appropriate.

9- The Investigation Committee may be assisted by a clerk to transcribe the investigation in numbered minutes. On the front of the minutes, the date, place and time of its opening, the name of the clerk, if there is one, and the names of the chairman and members of the committee as well as their positions, grades and functions shall be recorded.

10- The minutes shall be appended with the hour it is closed, and the signature shall be made at the end of each paper of the investigation papers by each of the chairman and members of the investigation committee and the employee when he is present. If the employee does not know how to read and write, his statement must be read to him and he shall be fingerprinted instead of the signature.

11- The prosecution and defence documents must be numbered and signed by the head of the investigation committee and included in the minutes.

**Article (49)**

**Disciplinary Board Procedures**

a-All procedures of the Disciplinary Council are documented in minutes kept in a file.

b-The chairman of the Disciplinary Council shall set a date for its convening to hold the referee disciplinary accountable, and shall notify the assignee thereof, provided that the notification includes a clear identification of the violation against him.

c-The person referred to the Disciplinary Council shall sign the notification stating that he has received it. In the event of his refusal to sign, the competent authority in the notification shall prove his refusal and put its seal on the notification. Thus, the referee is considered to have been legally notified. The Disciplinary Board may proceed with the procedures in case of his absence.

d-The person referred to the Disciplinary Board must attend the accountability sessions in person, and he may seek the assistance of an attorney to express his defence in writing or verbally, and to request that witnesses be summoned to hear their statements.

e-The person referred to the Disciplinary Council or his representative shall have the right to review the investigation papers and make photocopies thereof.

f-The Disciplinary Board may seek the assistance of whomever it deems experienced in the matters that require the assistance of their opinion.

g-All notifications of the Disciplinary Council shall be addressed to the person referred to the Council in person or by the registered mail at his work address if he continues to work, or at his place of residence or the residence of one of his relatives whose names are recorded in his service file if he was suspended or discontinued from work, or by any other means that the Disciplinary Council deems appropriate. .

h-The Disciplinary Board holds its sessions in the presence of two-thirds of its members, provided that the chairman or his deputy is among them, and the decisions are issued by the majority of the votes of those present.

i-If the votes are equal, the side of the president or his deputy in his absence shall prevail.

j-The Disciplinary Board shall issue its decision within a period not exceeding sixty days from the date of formation of the board, and the decision shall be written and reasoned.

k-The decision of the Disciplinary Board shall include an accurate and clear statement of the acts attributed to the person referred to the Board and the reasons upon which its decision was based.

l-If the Disciplinary Board deems that the violation attributed to the employee constitutes a criminal offence, it shall notify the President of that in order to refer him to the competent authority. The Board may continue to hold the staff member disciplinary accountable with the approval of the President. The Council may, after the approval of the President, suspend the disciplinary proceedings until an order or judgement is issued in such an offence. The issuance of a decision to keep the papers administratively, or an order that there is no basis for filing a criminal case, or an acquittal ruling, does not preclude the disciplinary accountability if its reasons are available.

m- In imposing the penalty of dismissal, consideration shall be given to whether it is proportionate to the level and seriousness of the violation, taking into account the precedents and mitigating or aggravating circumstances that accompanied the violation.

**Article (50)**

**Disciplinary sanctions, their erasure and forfeiture of the right to impose them**

a-Disciplinary penalties that may be imposed on those holding the senior positions or employees in the General Secretariat are:

1- Verbal warning.

2- Written warning.

3- Suspension from work with deduction of salary for a period not exceeding one month during the year and not more than ten days in each time.

4- Dismissal from service.

b-Disciplinary sanctions imposed on incumbents of the senior posts holders or staff members 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 suspension from work with the salary deduction. The erasure of the penalty shall be considered as if it were not for the future, and shall not affect the rights and compensation resulting therefrom, and the penalty papers and any reference to it and related to it shall be removed from the employee's service file.

c-The employee may not be disciplined after the lapse of three months from the date of his direct supervisor's knowledge of the occurrence of the violation or one year from the date of its occurrence, whichever is earlier, and the three-month period shall not be considered in the following cases:

1- The employee is related to his direct supervisor.

2- The direct supervisor is a partner of the employee in the commission of the violation or an instigator of the employee to commit it.

3- Circumstances beyond the direct supervisor's control prevented him from notifying the relevant employer of the employee's violation from the date of his knowledge.

4- violation has caused serious material or moral damage to others.

The period referred to shall be interrupted by any investigation procedure. The period shall re-apply from the last procedure. If there are several employees, the interruption of the period for one of them shall result in the interruption of the period for the others, even if no conclusive measures have been taken against them for the period.

However, if the act resulted in a criminal offence, the right to impose the disciplinary penalty shall not be forfeited except with the termination of the criminal case.

**Chapter Eleven**

**Grievance Committee**

**Article (51)**

**Creation and Formation**

a-A permanent committee, called (the Grievance Committee), shall be established in the General Secretariat by a decision of the President upon the nomination of the Secretary-General, consisting of a chairman and at least four members, and with the approval of the president, one of them may be a representative of the Civil Service Bureau. The committee is concerned with examining the grievances submitted by the employees against the administrative decisions that affect their employment rights, in accordance with the following controls:

1- The Committee's chairman and members shall be chosen from among the employees recognised for their integrity, competence and good conduct.

2- The Committee shall determine its working procedures, and hold meetings at the request of its president and take decisions by a majority of its members. In the event of a tie, the president's side shall prevail.

3- The chairman or members of the committee shall refrain from attending the session in which a grievance is being considered or decided upon by an employee under the leadership of any of them or is related to him up to the fourth degree, or if the decision complained against was issued by one of them. The chairman of the committee is authorized to choose who will replace the resigning member if the quorum for the committee meeting cannot be completed without him.

4- The employee submits the grievance within fifteen days from the date of his knowledge of the decision, otherwise his right to grievance is forfeited.

5- The Committee shall decide on the grievance within fifteen working days from the date of its submission, and the Committee may extend this period for another ten working days if necessary.

6- The committee shall hear the statements of the grieving employee, and it may listen to others when necessary and take all necessary measures to consider and decide on the grievance.

7- The committee issues its decisions in the form of recommendations submitted to the Secretary-General for approval, amendment or cancellation. The Secretary General shall notify the complaining employee of the decision within a period not exceeding five working days from the date of its issuance.

b-The grievance of the holders of senior positions and those of similar status against the administrative decisions issued in their regard to the President shall be in accordance with the following controls:

1- The grievance shall be submitted within thirty days from the date of knowledge of the decision, otherwise the right to grievance shall be forfeited.

2- The President may assign the task of examining the grievance to any body or committee he deems appropriate.

3-The decision issued to rule on the grievance shall be definitive.

The employee and the holder of the senior position must, before resorting to the judiciary to challenge the final decisions that affect one of his employment rights, file a grievance before the Grievance Committee or the President, as the case may be.

The President shall issue a decision regulating the grievances and their procedures.

**Part Twelve**

**Termination of Service**

**Article (52)**

The service of the employee shall be terminated for any of the following reasons:

1- Reaching the designated age for leaving the service.

2- Early retirement in accordance with the laws and regulations prescribed for this.

3- Being medically unfit for service.

4- Resignation.

5- The absence from work provided for in paragraph (f) of Article (53) of this Regulation.

6- Loss of the Bahraini Nationality.

7- Final judgment of a felony penalty or a custodial penalty for a crime involving breach of honour or trust. Termination of service in this case is permissible by a decision of the Secretary-General after the approval of the President if the sentence is suspended.

8- Dismissal from the service by a disciplinary decision or discharge by means of a court judgement.

5- Cancellation of the job.

10- Dismissal by a non-disciplinary method in accordance with the cases and controls specified by this regulation, without prejudice to the provisions of the laws and regulations prescribed for this.

11- Expiry of the contract term.

12- Death.

**Article (53)**

**4- Resignation**

a-The employee may submit his resignation from his job, and the request for resignation shall be in writing and not attached to a condition or attached to a record, otherwise the request shall be considered as if it did not exist.

b-The employee's service does not end except with the decision to accept the resignation.

c-The resignation request must be ruled upon within thirty days from the date of its submission, otherwise it will be considered accepted, unless the employee is referred for investigation.

d-Without prejudice to the provisions of Paragraph (c) of this Article, the Secretary-General has the right to postpone accepting the resignation of those occupying some positions - which he determines after the approval of the President - if his acceptance would lead to a breach of the proper course of work, for a period not exceeding three months from the date of submitting the resignation, otherwise The employee's service is considered terminated by the expiry of this period.

e-The employee shall continue in his work until he is informed of the decision of accepting the resignation or the expiry of the periods referred to in paragraphs (c) and (d) of this Article, as the case may be. If the employee is referred to the investigation, his resignation shall not be accepted until he has disposed of it without the penalty of dismissal from service.

f-An employee shall be deemed to have resigned if he fails to report for duty without permission for more than fifteen consecutive days or thirty non-consecutive days in a year, and the employee shall be given a written notice after five days in the first case, and twenty days in the second case.

If the staff member submits, within the following twenty days, evidence that his interruption was with an acceptable excuse, the Secretary-General may calculate the period of interruption as annual or sick leave if he has a balance thereof that allows it, otherwise it shall be considered special leave without pay.

If the employee did not provide reasons justifying the interruption or presented them and it was rejected, his service is considered terminated from the date of his interruption from work in the case of continuous interruption, and from the date of completion of the thirty days period in the case of non-consecutive absence.

**Article (54)**

**Termination of a Position**

Cancellation of a job is the removal of it in full with its duties and responsibilities from the functions of the organization that are included in it permanently, and this results in either transferring the employee to another vacant job by a reasoned decision of the president based on the proposal of the Secretary-General, or terminating his service, for organizational reasons as it is proved that he is not needed as a result of the reorganization or Re-engineering of the administrative processes, reduced workload, or to assign job duties to the private sector and other reasons estimated by the President. The President, based on the proposal of the Secretary-General, shall issue a decision regulating the procedures for the job abolition.

**Article (55)**

**Non-disciplinary Termination**

a- The employee occupying the higher position is terminated by the non-disciplinary measures if he is relieved of his functions by a decision of the authority concerned by the appointment.

b- An employee occupying a senior position may be dismissed in a non-disciplinary manner when a decision is issued by the competent authority to appoint another in the same position he occupies, unless the president decides to transfer him to another position whose rank is not lower than that of the position he occupies, with the continuation of the payment of his salary and job benefits determined for him in accordance with the controls determined by a decision issued by the President based on the proposal of the Secretary-General.

**Article (56)**

**Death**

If the employee dies, his family or the party that receives the death notifications must inform the competent authority in the General Secretariat of that and send all the necessary documents to it within thirty days from the date of receiving the death certificate, in order to terminate his service from the day following the death after receiving the official death certificate.

**Article (57)**

**Notice of Service Termination**

The employee shall be notified with a copy of the decision to terminate his service, and copies thereof shall be deposited in his service file. Another copy shall be sent along with the rest of the papers and forms prepared for this purpose to the competent authority in the General Secretariat within a period not exceeding one week from the date of issuance of the decision to take action to pay his financial dues legally determined for him after the termination of his service.

**Article (58)**

**Extension of Service**

The service of an employee who has reached the age of sixty may be extended by a decision of the President at the request of the Secretary-General, and the extension of the service of the Secretary-General shall be by a decision of the President after the approval of the Council in accordance with the following controls:

1- The extension should be for a period of one year or more, not exceeding five years in total, depending on the public interest.

2- The impossibility to obtain the qualified candidate to fill the job.

3- The period of service of an employee who has reached sixty in the public sector shall not be less than fifteen years.

4- His performance level for the last two years shall not be less than “very good”.

5- To be of good conduct and good behaviour.

**Part Thirteen**

**General and Final Provisions**

**Article (59)**

**Housing Staff**

The employees of the General Secretariat, when they are accommodated in the light of this regulation, shall retain their salaries, allowances and all job benefits that they enjoyed before the implementation of the provisions of the regulation came into force on them, which are in excess of what is determined by it.