

Law No. (13) of 2013
promulgating the Property Registration Law¹

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

Having reviewed the Constitution;

Civil and Commercial Procedures Law promulgated by Legislative Decree No. (12) of 1971, as amended;

Legislative Decree No. (14) of 1971 regarding Notarization,

Legislative Decree No. (10) of 1976 regarding Housing, as amended by Law No.(7) of 2009;

Penal Law promulgated by Legislative Decree No.(15) of 1976, as amended, by Law No.(17) of 2006;

Legislative Decree No. (17) of 1982 regarding Regulating the Practice of Engineering Professions, as amended;

Evidence Law in Civil and Commercial Matters promulgated by Legislative Decree No. (14) of 1996, as amended,

Legislative Decree No. (40) of 1999 regarding the Ownership by GCC Nationals of Built Properties and Land in the State of Bahrain;

Legislative Decree No. (2) of 2001 regarding Ownership by Non-Bahrainis of Built Properties and Land;

Civil Code promulgated by Legislative Decree No.(19) of 2001;

Municipal Law promulgated by Legislative Decree No.(35) of 2001, as amended by Law No.(38) of 2006;

Legislative Decree No.(19)of 2002 regarding Disposal of State-owned Land owned as Private Property;

¹ This is an unofficial translation and in the event of any conflict or discrepancy between the English text and the Arabic text, the Arabic text shall prevail.

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

Law No (39) of 2009 regarding Acquisition of Property for Public Benefit;

And Law No. (14) of 2011 regarding Transferring the Powers of the Minister of Housing concerning Survey Duties to the President of the Survey and Land Registration Bureau;

The Shura Council and the Council of Representatives have approved the following law, which we have ratified and enacted:

Article One

The provisions of the attached Law regarding Land Survey and Property Registration shall come into effect and the Land Registration Law promulgated by Legislative Decree No.(15) of 1979 shall be repealed.

Article Two

The Prime Minister shall issue the Implementing Regulation of the attached Law within six months from the effective date thereof.

The Survey and Land Registration Bureau's President shall issue the necessary decisions for implementing the attached Law and governing the relationship between the Bureau and specialized engineering firms entrusted with land survey duties, having licences for the practice of engineering professions according to the provisions of Legislative Decree No.(17) of 1982 regarding Regulating the Practice of Engineering Professions.

Pending the promulgation of the Implementing Regulation and the Decisions mentioned in the first and second paragraphs of this Article, the current regulations and decisions in force on the date of promulgating this Law shall continue in effect to the extent that does not conflict with its provisions.

Article Three

The Prime Minister and the ministers - each within his jurisdiction - shall implement this Law which shall come into force from the first day of the month following the lapse of six months from the date of its publication in the Official Gazette.

King of the Kingdom of Bahrain

Hamad bin Isa Al Khalifa,

Issued at Riffa Palace

On 9 Shaaban 1434 A.H.

Corresponding to 18 June 2013 A.D.

Property Registration Law²

Preliminary Part

Definitions

Article (1)

In applying the provisions of this Law, the following words and expressions shall have the meanings assigned to them below, unless the context requires otherwise,

Bureau: Survey and Land Registration Bureau.

President: President of the Survey and Land Registration Bureau.

Competent Court: The Higher Civil Court

Competent Department: Any directorate at the Bureau that is concerned with any of the matters provided for in this Law as determined by its Implementing Regulation.

Land Survey: Defining the property's location, indicating its area, dimensions, placing benchmarks and boundaries of ownership.

Land Survey Certificate: A technical plan outlining the property's nature, location, indicating its area, dimensions and boundaries.

Title Deed: A deed issued by the Bureau and proving title to the property.

Property Plan: A plan showing the property's area, location, boundaries, dimensions and number.

Encumbrances on the Property: An entry prohibiting disposal of the property in the file of the property and its location on the plans.

² This is an unofficial translation and in the event of any conflict or discrepancy between the English text and the Arabic text, the Arabic text shall prevail.

Cadastral Certificate: A cadaster for each property showing its description, its legal status, and name of its owner or owners, rights and obligations created thereupon or against it and the relevant transactions and modifications.

Property Register: A set of cadasters showing description of the properties, their legal status, names of their owners, rights and obligations created thereupon or against them and the related transactions and modifications.

Section One

Land Survey

Part One

General Provisions

Article (2)

The Bureau shall undertake property survey duties according to the provisions of this Law, its Implementing Regulation and Decisions issued for its implementation. It shall be deemed as the principal authority for all property surveys in the Kingdom of Bahrain including the preservation and updating of the real property database.

Article (3)

The Bureau shall undertake, by the Concerned Directorate or through the specialized engineering firms as determined by the Implementing Regulation of this Law, conducting the necessary surveys for implementing the general plans for all the areas of the Kingdom of Bahrain as well as property surveys, placing benchmarks of property ownership. Further, the Bureau shall issue property survey certificates and prepare the technical reports related to the cases being heard before the law courts.

Article (4)

An application for opening a survey transaction shall be submitted by the property owner or whoever deputizes for him pursuant to a power of attorney using the prescribed form as determined by the Implementing Regulation of this Law according to the type of survey application.

The Competent Department shall ascertain the location of the property, its areas, boundaries and dimensions from the plans preserved therewith or by a field survey of the property.

Part Two

Property Certificates and Plan

Article (5)

Without prejudice to the provisions of Legislative Decree No.(10) of 1976 regarding Housing, a property survey certificate shall not be issued except pursuant to the property title deed subject to the transaction and shall not be deemed as a title deed according to the procedures set forth in the Implementing Regulation.

Article (6)

The Concerned Directorate shall prepare the property plan based upon the actual plans kept therewith or from the field survey. Such plan shall be essential for the registration formalities in the Property Register.

The Implement Regulation of this Law shall determine the procedures for the issue of the property survey certificate and in the preparation of the property plan.

Article (7)

Every interested person shall be entitled to request any of the following certificates from the Competent Department :

1- Property Survey Certificate.

2- A true and original copy of the property plan.

The President shall issue a decision determining the other relevant certificates that may be delivered to the concerned persons.

Part Three

Alteration and Correction of Deeds

Article (8)

If the Competent Department finds out from a field survey that there are changes not shown in the plans or in the Property Register, it shall confirm such changes in a new property plan accompanied by an alteration certificate issued by the concerned municipality while obliging the owner to submit the title deed.

Details of the Property Register and the title deed shall be amended accordingly as determined by the Implementing Regulation of this Law.

Article (9)

The Bureau shall, of its own initiative or upon an application from the concerned persons, correct the material errors which occur in the property survey certificate or the property plan and the Bureau President shall approve such correction. The Competent Department and concerned persons shall be given notice of such amendment.

In all cases, new property survey certificate and property plan shall be issued.

Section Two

Land Registration

Part One

General Provisions

Article (10)

The Bureau shall undertake the Land Registration duties according to the provisions of this Law, its Implementing Regulation and the resolutions issued for their implementation.

Article (11)

The Property Register shall be accompanied by a hard copy personal index and another in soft copy for whom each owner shall have his own property cadaster in which shall be recorded the properties owned by him out of the actual data entered in the Property Register as determined by the Implementing Regulation.

Article (12)

In no case shall the Property Register cadasters, tabloid files and originals of registered instruments be moved outside the Bureau.

The law courts, Public Prosecution or whoever is designated from their members or experts shall be empowered for deciding on the disputes referred thereto to have access to the cadasters and to obtain official copies of the instruments and files indicated in the first paragraph of this Article.

It shall be prohibited to enable non-concerned parties to have access to the aforesaid cadastres and files or to obtain copies thereof.

Article (13)

All title deeds issued according to the provisions in force before the effective date of this Law shall have a determinative effect towards everyone unless a final court judgement rule for the revocation thereof.

Article (14)

The Property Register shall have the force of providing evidence in respect of the data entered therein.

It shall not be permitted to acquire properties on the basis of possession contrary to the details entered in the Property Register or in the property title deeds.

Article (15)

Without prejudice to the provisions of Legislative Decree No.(19) of 2002 regarding Disposal of Land owned by the State as Private Property, the Bureau shall be deemed as a concerned party to any court lawsuit filed through a petition for establishment of title to a property on the basis of possession.

Article (16)

The Municipalities may sell corner plots of land whose area does not exceed 200 square metres (Two hundred square metres) upon seeking the opinion of the concerned authorities.

For the sale of a corner plot of land, it shall be essential that it shall be adjacent to a property owned by the person applying for purchase of such plot of land and shall not be taken out of a government owned land whose area exceeds the area mentioned in the first paragraph of this Article and shall not be suitable to be an independent plot of land that can be exploited.

Registration of corner plots of land contracts issued by the Municipalities to the owners of properties in the Property Register shall result in the merger of a corner plot of land to the adjacent property owned by the buyer. No separate title deed shall be issued therefore.

Further, no disposal shall take place involving purchased corner plots of land except with the adjacent property as a single transaction.

Part Two

Establishment of Rights in the Property Register

Chapter One

Disposals and Rights to be Registered

Article (17)

There shall be registered in the Property Register all the disposals which create, establish or transfer original and supplementary real estate rights or those disposals which result in the elimination of any such rights as well as final court judgements proving any of the above and declarations waiver of the status of the subordinate real estate rights registration.

Failure to making an entry in the Property Register shall consequently prevent the creation, establishment, confirmation, transfer, change and elimination of the rights indicated in the first paragraph of this Article neither amongst the persons concerned nor in respect of others.

Article (18)

Disposals which are not registered according to the provisions of Article (17) of this Law shall not have any effect except for the personal obligations amongst the concerned persons.

Article (19)

Right to inheritance shall be registered in the Property Register if the estate involves real rights in-kind by registering the deeds which prove the right to inheritance with the estate inventory lists which shall include the share of each heir. Pending the completion of such registration, the heir shall not dispose of any such rights.

Article (20)

Claims in the bill related to a real right in kind or the validity and enforceability of any of the disposals to be registered in the Property Register shall include an application for making an alteration to the data of the Property Register.

In any of the lawsuits provided for in the first paragraph of this Article, a claimant shall submit to the Competent Department two official copies of the statement of claim for registration of the claim and for making an entry in respect of the claims in the Property Register.

One of both copies of the bill shall be kept in the registration file and the other copy shall be returned to the claimant with an indication of the action taken by the Competent Department. The competent court shall hand down a ruling for non-admission of the lawsuit if the copy bearing the marked entry is not submitted thereto.

Article (21)

The ruling of final judgements handed down in respect of the lawsuits mentioned in Article (20) of this Law shall be registered in the Property Register upon an application from the concerned parties.

Article (22)

Registration of the bill related to a real right in-kind or validity and enforceability of any of the disposals which shall be entered in the Property Register shall result in considering the right of the claimant proven by a final court judgement to have been registered from the date of registering the bill for which the judgement has been passed.

A judgement shall be registered in the Property Register within five years from the date of becoming final so that its effect shall go back to the date of registering the bill.

Article (23)

A declaration of willingness to acquire property by pre-emption shall be registered in the property cadastral.

If the right of the pre-emptor is determined by a final court judgement registered in the property cadastral that judgement shall be binding upon

whoever has been awarded a right in-kind towards the property as from the date of registering the declaration of willingness.

Article (24)

Without prejudice to the provisions of Law No.(39) of 2009 with respect to Acquisition of Property for Public Benefit, every action in respect of applications of registration in the Property Register related to title to any property for which a lawsuit such as these indicated in Article (20) of this Law shall be suspended pending the issue of a final judgement in the lawsuit or providing evidence confirming the termination of the lawsuit.

Should the competent court or execution court, – as the case may be–, decide to place an indication of entry or precautionary attachment upon the property, it shall give notice to the Office of Notarization and the concerned directorate to make an entry to this effect upon the notarization of instruments.

Chapter Two

Alteration and Correction in the data of the Property Register and Deeds

Article (25)

No alteration shall be made in the data of the Property Register or the title deed except by means of notarized instruments legalized by the person who has the rights established in the said Register or in accordance with a final court judgement.

The Bureau may make an alteration in the data of a title deed according to a declaration legalized by the rightful owner as established in the said title deed and parties to the disposal, provided that such alteration shall be approved by the President.

Article (26)

The Bureau shall be empowered of its own initiative or upon an application from the concerned persons to correct material errors which occur in the Property register or title deed. The Bureau's President shall approve such correction and shall notify the concerned Directorate and the concerned persons of such amendment according to the Implementing Regulation of this Law.

Article (27)

Property owners shall give notice to the Bureau concerning every change that occurs to the property and requires a licence from the concerned municipality. Such notice shall be accompanied by an alteration certificate issued by the municipality. The said notice shall be given within three months following the occurrence of the change. The property data shall be amended in the Property Register in accordance with the above without charging any fees and a new plan for the property shall be prepared.

Part Three

Registration Procedures in the Property Register

Chapter One

General Registration Procedures

Article (28)

An application for registration in the Property Register shall be filed with the concerned directorate using the prescribed form which shall be signed by parties to the disposal, any of them, or whoever acts on their behalf by means of a power of attorney.

Article (29)

In addition to the requirements of the Law in special cases, an application for registration in the Property Register shall contain the following details:

- 1- Subject-matter of the registration application.
- 2- Details identifying each of the parties to the disposal including the full name (Four names), surname, nationality, residential address, number and details of his passport or identity card.
- 3- Names and titles of the persons acting on behalf of others, extent of their powers and supporting documents.
- 4- The necessary details for identification of the property subject to the registration application, especially its location, type, description, area, boundaries and dimensions.
- 5- Statement about any property rights in-kind towards the property, if any.
- 6- Price or consideration, if any.
- 7- Documents supporting title or right in-kind subject to the registration application, especially the title deed's number and year of issue.

An application for registration in the Property register shall be enclosed with the title deed or whatever replaces it in addition to all the documents and papers supporting the details in the application as shall be determined by the Implementing Regulation of this Law.

A registration application which does not fulfil the required details shall be deemed null and void and shall be enclosed with the aforesaid documents within fifteen days from the date of its submission.

Article (30)

If the subject-matter of a registration application in the Property Register is one of the disposals referred to in Article (17) of this Law, a copy of the

instrument required to be registered shall be attached. However, if the subject-matter of the registration application is one of the lawsuits referred to in Article (20) of this Law or a final judgement mentioned in Article (21) hereof, an official copy shall be provided of the bill or final judgement, as the case may be.

Article (31)

Applications for registration in the Property Register shall be entered according to the date and time of filing them under serial numbers in a book to be prepared and to be entitled "Registration Applications Book". An applicant shall be delivered a receipt which shall show the number and date of the application and details of the attached documents, papers and the title deed, if any.

Attachments to the applications for registration in the Property Register shall not be returned except where they are not sufficient for proving title or right in-kind, where the required details and time limits indicated in Article (29) of this Law are not met or where the applicant decides not to proceed with the necessary procedures.

Article (32)

An application for registration in the Property Register shall be deemed null and void if a petition is submitted for waiver thereof duly signed by the applicant. A waiver of an application shall not be accepted if it is submitted after completing registration of the instrument in the Property Register.

Article (33)

The concerned directorate shall verify the ownership details or any of the other rights in-kind from the documents actually submitted thereto and from whatever documents registered or preserved therewith.

The aforesaid Directorate shall ascertain that the details of the instrument required to be registered and details of the bill or court judgement referred to in Articles (20) and (21) of this Law comply with the action taken by the concerned directorate in terms of verification as indicated in Article (4) of this Law, provided that the results of verification shall be kept in the applicant's file

Article (34)

Prior to attesting an instrument, a notary public shall ascertain the validity of the ownership details from the title deed or certificate which replaces it and by ascertaining with the concerned directorate that there is no r entry reference, precautionary attachment or anything that may prevent the registration of the instrument in the Property Register.

Upon legalizing an instrument, the Office of Notarization shall send a copy thereof to the Bureau for safekeeping.

The registration fee for an instrument in the Property Register shall be reduced by 15% (fifteen percent) if the notarized instrument is submitted for registration in the Register within two months from the date of its notarization. The President shall be empowered to extend this period for two more months by a reasoned decision if acceptable excuses are provided,

Applications submitted to the Property Register shall not be accepted one year after notarizing the instrument unless a final judgement is handed down for registering such instrument.

Article (35)

Registration in the Property Register shall take place upon verification of the submitted documents and papers. All the details in the instruments submitted for registration in the Register shall be registered as set forth in the Implementing Regulation of this Law.

Chapter Two

Title Confirmation Lawsuits

Article (36)

Upon hearing a title confirmation lawsuit, the competent court shall procure the publication of notice in the Official Gazette and in a wide circulation newspaper at the expense of the claimant comprising the lawsuit number, its subject-matter, claimant's name and claims, defendant's name, property's location and area and date of the hearing fixed for examining the lawsuit.

Every interested person shall be entitled to challenge the contents of the aforesaid notice within thirty days from the date of its publication in the Official Gazette. The Court shall not decide upon the lawsuit before the expiry of the said time limit.

A challenge shall take place by intervening in the lawsuit or by a bill to be filed with the Court Clerks' Department and the said challenge shall be subject to the provision of Article (20) of this Law.

Upon handing down a final judgement confirming title to the property, the property subject to the judgement shall be registered in the Property Register. In such case, a special title deed shall be issued in the name of the person in whose favour the judgement is given.

Article (37)

If a judgement confirming title in favour of an heir in respect of his common share in an inherited property is registered in the Property Register, whose title has been confirmed for the testator, any of the heirs may submit to the concerned directorate seeking the registration of his share on the basis of such judgement, provided that he shall pay the prescribed fees.

Part Four

Title Deeds and Certificates

Article (38)

Everyone for whom an entitlement has been registered in the Property Register shall obtain a deed proving such entitlement.

Article (39)

The Bureau shall deliver to each owner a title deed confirming his ownership in the property.

In the case where the title deed issue procedures are not completed, the owner shall be provided with a temporary certificate of title to replace the title deed for the purpose of proving his title.

A certificate showing their rights in the real estate shall be delivered to the non-owners concerned, in accordance with the Implementing Regulation of this law.

Article (40)

Another copy of the title deed referred to in the first paragraph of Article (39) of this Law shall not be delivered except in the case of the damage or loss of the initial title deed. This shall take place by a judgement to be handed down by the competent court.

Article (41)

Notwithstanding the provisions of Articles (39) and (40) of this Law anyone who has obtained a final court judgement confirming validity and enforceability of any of the disposals related to the property's title or has been the successful bidder in an auction by a final court judgement and where the person against whom the judgement refuses to deliver thereto the property's title deed shall be empowered to apply to the competent court to obtain a court judgement to deliver to him a copy of the title deed

to enable him to register the judgement issued in his favour in the Property Register and the original title deed shall not be recognised as from the date of handing down the court judgement for validity and enforceability of the disposal or upon the award of the auction to the successful bidder, and the notary public shall be given notice for discontinuing every disposal involving such title deed.

Article (42)

Only interested owners of property shall be delivered another copy of the certificate mentioned in the third paragraph of Article (39) of this Law except in the case of damage or loss of the original certificate by a decision to be issued by the President as set forth in the Implementing Regulation of this Law.

Article (43)

Each interested party shall be empowered to apply for obtaining a certificate confirming the compatibility of the title deed with the details entered in the Property Register.

The President shall be entitled to issue a resolution determining the other certificates which may be delivered to the concerned parties.

Article (44)

A property owner shall be entitled to request the concerned directorate to conduct a comparison between the title deed issued in his name and its copy kept at the directorate or that entered in the Property Register and shall stamp it to confirm that it is a true and original copy of the title deed in his possession.

A property owner shall not apply for conducting a new comparison before the elapse of three months since the date of the most recent comparison.

Article (45)

Title deeds and all the certificates referred to in this Part shall be drawn up as set forth in the Implementing Regulation of this Law and the decisions issued by the President.

Part Five

Miscellaneous Provisions

Article (46)

The deed establishing the right of easement in the Land Registry shall be entered in the cadaster of the servient land and the cadastral of the dominant land. Such easement right shall be indicated in the designated space in the properties' two title deeds.

Article (47)

The Implementing Regulation of this Law shall set forth the procedures to be followed upon the registration of property sale contracts under the storeys and flats scheme and also upon registering decisions for division of empty plots of land under the housing parcels scheme.

Article (48)

Save for Royal gifts, gift certificates, wills or endowments and any alterations that occur thereto shall not be registered in the Property Register except upon the notarization thereof by the competent Sharia'a Court.

The Bureau shall issue title deeds for the properties subject to gifts, wills or endowments upon registration of the certificates referred to in the first paragraph of this Article and according to the title deeds of the donor, testator or waqf creator.

Article (49)

In case of taking actions for placing an attachment upon the property and sale thereof as provided for in the Civil and Commercial Procedures Law, the concerned directorate shall give notice to the Execution Judge of the names of creditors whose rights are registered towards the property upon placing the attachment entry thereupon.

Section Three

Fees

Article (50)

In accordance with this law, the following fees shall be charged:

First: Sale Agreement Registration Fee: 2% (Two percent) of the property's value. 15% of the Sale Agreement's fee shall be deducted if the registration takes place within 60 days from the date of concluding the sale agreement.

Second: Swap Agreement Registration Fee: 2% (Two percent) of the bigger amount of the swapped properties to be jointly paid by the parties to the swap.

Third: Gift Agreement Registration Fee:

- 1- Royal gifts. Five dinars
- 2- Gifts between spouses and relatives to the fourth degree. Five dinars
- 3- Gifts where the value of the gifted property does not exceed fifty thousand dinars. Five dinars
- 4- Gifts where the gifted property's value exceed fifty thousand dinars - 2% (Two percent) of the property's value.

Fourth: Certificate application fee.

- 1- Certificate application fee. One dinar
- 2- A true and original copy of the property plan. One dinar

- 3- Access to the books and files application fee. One dinar
- 4- Land Registration Application Form Fee. One dinar
- 5- Temporary Ownership Certificate Application Fee. One dinar
- 6- Property Survey Certificate Issue Fee. One dinar
- 7- Property Survey Application Fee. Five dinars

Fifth: Fees for Copies of Title Deeds and Erection of Benchmarks:

- 1- Obtaining a copy of the Title Deed Fee. Five dinars
- 2- Erection of a single Benchmark for the Property in respect of the first survey conducted by the Competent Department. Five dinars
- 3- For the additional surveys assigned to engineering offices under the Implementing Regulation of this Law and the decisions issued for its implementation, the amount of erecting benchmarks for indicating boundaries of properties shall be fixed by a decision to be issued by the President, provide that the amount of erecting each benchmark shall not exceed fifty BD and the concerned person shall directly pay it to the concerned engineering office.

Sixth: Fees for Registration of Court Statements of Claim, Court Judgements and other dispositions:

- 1. Fee for registration of a property bill. Five dinars
- 2. Fee for registration of a court judgement's ruling. Five dinars
- 3. Fee for registration of other dispositions provided for in this Law but not mentioned in this Schedule. Five dinars

Article (51)

All the fees provided for in this Law shall be charged in advance before taking any required action.

Article (52)

Multiple fees shall be paid according to the multiplicity of matters involved in the application and shall be charged according to the categories prescribed for each matter.

Article (53)

A relative fee shall be charged on the basis of the property's value at the time of notarizing the agreement. In case of selling government property and court sales, the relative fee shall be estimated on the basis of the price indicated in the sale agreement or in the court judgement.

Article (54)

The relative fee shall be charged on the basis of the price or consideration indicated in the notarized instrument or court judgement intended to be registered.

Prior to registration in the Property Register, the concerned directorate shall inquire about the true value of the property at the time of notarising the instrument or delivering the court judgement referred to in Article (21) of this Law. If it is found to be in excess of the price or consideration indicated in the instrument or judgement, it shall suspend the registration procedures and shall refer the matter to a committee for estimating the true value of the property. A decision of the President shall be issued with respect to its formation and working procedures.

Article (55)

The relative fee shall be re-estimated on the basis of the property's value at the discretion of the committee indicated in Article (54) of this Law.

The party obliged to pay the fee shall be notified thereof by means of a registered letter with acknowledge receipt.

The concerned person shall be entitled to file an appeal with the President with respect to the re-estimated fee within fifteen days from the date of receiving such notice.

The appeal shall be decided upon and the appellant shall be given a written notice with respect to the decision adopted concerning it by a registered letter with acknowledge receipt within fifteen days from the date of filing it.

A complainant shall be entitled to contest the rejection decision before the competent court within thirty days from the date of notice given thereto or upon the elapse of thirty days from the date of the expiry of the period of deciding upon the challenge without giving him notice concerning the result of its consideration.

A decision adopted concerning the re-estimation of the fees shall not be contested against except following the challenge thereto in the manner set forth in this Article.

Article (56)

Registration of an instrument or a court judgement in the Property Register as a result of error or fraud shall not bar claiming the payment of the fees remaining unpaid. The State shall have a concession upon the property subject to the disposal and such property shall be a security for payment of the said fees regardless of whoever is in possession of such property.

The prescribed time limit for non-hearing of the Lawsuit for the fees mentioned in the first paragraph of this Article shall commence from the date of registration in the Property Register.

Article (57)

A payment order shall be issued by the President for estimating the fees that have not been paid and mentioned in Article (56) of this Law. Such order shall be notified to the party obliged to pay the fee by means of a registered letter with acknowledgement receipt or shall be served by a process server.

The payment order may be challenged before the competent court within thirty days from the date of the said notice.

Notification

If the payment order is not challenged or if it is challenged and rejected, the Bureau shall have recourse to the Execution Judge to obtain the execution format on a copy of the payment order for proceeding with the execution measures.

Article (58)

An invalidation of registration in the Property Register shall not result in refunding any of the charged fees. The relative fees charged for registering the judgements authorizing the award of the auction shall be refunded in the event of ruling for the revocation thereof.

In case of an applicant for registration in the Property Register retracts his application, the fees charged thereto shall be refunded.

Article (59)

The following shall be exempted from fees imposed by this Law:

1. Contracts whereby title to properties are transferred to the State.
2. Copies and certificates requested by ministries, their directorates and all government departments, organizations and public institutions.
3. All disposals whereby title to properties in the Kingdom of Bahrain are transferred to governments of any of the Arab, Islamic or foreign countries to be used as buildings for their political or consular missions on condition of reciprocity.
4. Contracts, gifts and certificates whereby title to properties is transferred to Waqfs and charities.
5. Persons who obtain loans from Eskin Bank for the purchase of housing units or housing plots of land within the loan amount.

6. Restrictions imposed in favour of natural or corporate persons for whom is issued a Royal Order or an Edict from the Prime Minister such as the Red Crescent Society, sports organizations and other entities.
7. Restrictions under which ownership takes place by foreign banks and retail banks and the banking institutions licensed to carry out Islamic finance business in the Kingdom and authorised by the Central Bank of Bahrain to own property according to the details set forth in the Implementing Regulation of this Law.
8. Restrictions whereby ownership of properties is transferred from one company to another if the Partners in one of the two companies are the same partners in the other company.
9. Restrictions whereby title to properties is transferred from a deceased person to a company owned by his heirs or by some of them in full.
10. Restrictions whereby title to properties is transferred by one person to a company fully owned by him or to a company whose partners are entirely his relatives to the fourth degree of relationship.

Section Four

Penalties

Article (60)

Without prejudice to a severer penalty provided for by law, a penalty of imprisonment and a fine not exceeding one thousand dinars or either penalty shall be inflicted upon anyone who manages to register an instrument in the Property Register to take away property owned by a third party or creates a right in-kind with his knowledge thereof.

Attempting to commit such offence shall be punishable by half the penalty prescribed for the full crime.