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**Legislative Decree No. (3) of 1994 regarding the Division of Lands
Intended for Reconstruction and Development**

We, Isa Bin Salman Al Khalifa, Emir of the State of Bahrain;

Having reviewed the Constitution;

Emiri Order No. (4) of 1975;

Legislative Decree No. (13) of 1977 on Regulation of Buildings;

Decree No. (7) of 1970 in the temporary Law for the Regulation and Development of Lands;

Legislative Decree No. (16) of 1971 extending the application of the provisions of the Provisional Law on Regulating Land Development;

Legislative Decree No. (8) of 1970 on the Acquisition of Lands for Public Benefit as amended by Legislative Decree No. (24) of 1975 and Legislative Decree No. (7) of 1984;

And Legislative Decree No. (16) of 1973 regarding the establishment of a temporary central municipal authority to manage municipal affairs, as amended by Legislative Decree No. (4) of 1975 and Legislative Decree No. (8) of 1976,

Upon the submission of the Minister of Housing,

And after consulting the Shura Council,

And after the approval of the Council of Ministers,

Hereby Decree the following Law:

Article - 1 -

In applying the provisions of this Law, division means every split of a plot of land within the areas stipulated in Article (2) of this law into two or more plots for the purpose of its reconstruction or development.

Article -2-

This Law shall apply to the following:

1- Planned areas.

2- Areas under planning.

3- Areas in which a Decision is issued by the Minister of Housing in accordance with Articles 11 and 13 of this Law.

Article - 3-

It is required that each plot of land to be divided, in accordance with the provisions of this Law, to be overlooking a road or street approved from the regulatory point of view.

Each plot in a division intended for construction and development shall be bounded by a road or street from at least one side.

Article - 4 -

It is not permitted to establish a division project or make an amendment to an approved division except after its approval by the Minister of Housing, in accordance with the terms and conditions stipulated in this Law and its Implementing Regulation.

Article - 5 -

The Implementing Regulation of this law shall specify the fees, rules, conditions, and circumstances to be observed in the division of lands, and in particular in the following fields:

1- The percentage of the area required to be allocated free of charge to roads, squares, gardens, public parks and other public utilities and services, provided that this percentage does not exceed 30% of the total area of the subdivision land, and the acquisition procedures shall be followed in excess of this percentage if the Ministry of Housing deems it necessary to increase it further.

2- The width of each street by division, taking into account what is potential for the increase in housing, traffic and other considerations related to construction in the area in which the division is located and the

adjacent areas. In the case of a street that is considered an extension of an existing street, its width must be equal to the width of the existing street, provided that its width is not less than what is stipulated in the prescribed regulations or decided in this regard.

3- Other requirements related to the areas occupied by the buildings from the area of the plot on which they are built, and the requirements for building in the divided lands.

Article - 6 -

The request for approval of the division project shall be submitted by the owner to the Ministry of Housing accompanied by the documents, drawings, and data specified by the Implementing Regulation of this Law.

Article - 7 -

The Ministry of Housing shall decide on the request to approve the division project and verify its compliance with the provisions of the Law and the requirements of reconstruction within four months from the date of its submission.

If the Ministry of Housing deems the submission of all documents or the introduction of an amendment or correction to the drawings, it shall notify the applicant within two months from the date of submitting the request, provided that the request is considered within two months from the date of completing the documents or submitting the amended drawings.

In all cases, the owner shall be notified of the acceptance or rejection of his request and shall be informed of the reasons for the rejection.

Article - 8 -

The approval of the division shall be confirmed by the Minister of Housing. The adoption of the division project shall result in the

attachment of roads, squares, parks, popular squares and other public facilities in the public property of the State.

Article - 9 -

It is prohibited to sell, lease, or dispose of divided lands in any way before the approval of the division project by the Minister of Housing, and to deposit a certified copy of the approval of the division project with the Directorate of Property Registration by a letter from the Minister of Housing.

It is also prohibited to build buildings or carry out works on the aforementioned lands before the approval of the division project. However, the Minister of Housing may, in case of necessity and in accordance with the requirements of the public interest, authorise any legal disposition of the lands subject to the request for division.

Article - 10 -

It is permitted, for considerations relating to the direction of urban sprawl, the control of population or building densities, the capacity of public utilities, or the preservation of the agricultural area, for the Minister of Housing to determine the stages of reconstruction in which division works may only be carried out in accordance with them.

It is also permitted, by a decision by the minister, to specify areas within cities and villages in which division is prohibited for a specified period due to the inability of public utilities in the area.

It is permitted to lift the prohibition if the applicant for division commits to providing facilities at his own expense within a period specified by the Minister in accordance with the prescribed technical conditions and the provisions specified by the Implementing Regulation.

Article - 11 -

The Minister of Housing may, in consideration of the requirements of urban coordination, draw up a division project that includes some adjacent lands and offer the owners of the lands included therein to start its implementation with their knowledge within a period specified by them. If they reject it or the specified period expires without starting the implementation, the expropriation procedures may be taken in accordance with the provisions of Legislative Decree No. (8) of 1970, as amended by Legislative Decree No. (24) of 1975.

If the project is rejected by some landowners and approved by others, the expropriation procedures shall be limited to the land of those who rejected the project, in which case the project shall be implemented jointly between the Ministry of Housing and the ones who approved the project, as agreed with them.

All the above shall be in compliance with the provisions of Article (5) of this Law.

Article - 12-

In the event that a street is opened in an area not subject to the provisions of this Law, the provisions of the preceding Article (11) shall apply.

Article - 13 -

The Minister of Housing may issue a Decision to stop the division requests submitted for lands located in areas covered by urban planning projects that are being prepared. Division requests shall be considered immediately upon the approval of the afore-mentioned planning projects.

The period of suspension of applications may not exceed two years, and it may be extended for a third year by a Decision of the Council of Ministers.

Article - 14 -

In a manner that does not conflict with the provisions of this Law, the laws, Implementing Regulations, and Decisions related to the organization of buildings, public health, public security, traffic, and other laws, regulations, and decisions related to organization and reconstruction shall apply to any division.

Article - 15 -

Officials appointed by a Decision by the Minister of Housing with regard to the application of the provisions of this law shall have the right to enter the places subject to this Law and to prove the violations that occur therein.

They shall follow up the implementation of the final decisions and judgements issued regarding the violating works.

Article - 16 -

Suspending works that violate the provisions of this Law and its Implementing Regulation by administrative means. The suspension shall be issued by a reasoned Decision by the Minister of Housing containing a statement of these works and shall notify the concerned parties by administrative means.

Article - 17 -

It is permitted for those concerned to file a grievance on the Decisions issued by the Ministry of Housing or the one who must issue them within a specified date in accordance with the provisions of this Law, within thirty days from the date of being notified of these Decisions by a registered letter with acknowledgement of receipt or the lapse of the deadline for their issuance.

These grievances shall be considered by a Committee formed by a Decision of the Minister of Housing and shall be composed of experienced government and private sectors. The Implementing Regulation shall set out the rules and procedures followed by the Committee in its work. The Committee shall decide on the grievance within sixty days from the date of its submission.

Any of the concerned parties may appeal to the Decisions of this Committee before the High Civil Court within sixty days from the date of being notified of the Decision or the lapse of the deadline stipulated in the preceding paragraph.

The Decisions of the Committee shall not be final until they are approved by the Minister of Housing.

Article - 18 -

Without prejudice to a more severe penalty provided in the Penal Code or any other law, whoever violates the provisions of this Law, its Implementing Regulation and the Decisions issued for its implementation shall be punished by a fine not exceeding one thousand dinars.

In all cases, the removal or correction of the violating works shall be judged in addition, which makes them consistent with the provisions of this Law, its Implementing Regulation, and the Decisions issued to implement it.

The concerned parties shall take the initiative to implement the judgement issued to remove or correct the violating works, within the period specified by the Ministry of Housing.

If they refrain or delay in implementation, the Ministry may do so by itself or by a person entrusted to it. The violator shall bear the costs and all the expenses.

Article - 19 -

The Minister of Housing shall issue the Implementing Regulation and the Decisions necessary to implement this Law.

Article - 20 -

The Minister of Housing shall implement this Law, and shall come into force after two months following the date of its publication in the Official Gazette.

Emir of the State of Bahrain

Isa bin Salman Al Khalifa

Issued at Riffa Palace:

On 29 Shaaban 1414 A.H.

Corresponding to 9 February 1994