

Ministry of Justice, Islamic Affairs and Waqf

Resolution No. 39 of 2021

**Permitting, and determining the scope of the use of electronic means at
the Bahrain Chamber for Dispute Resolution**

The Minister of Justice, Islamic Affairs and Waqf,

Having reviewed:

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

Legislative Decree No. 3 of 1972, with respect to Judicial Fees, as amended;

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

Legislative Decree No. 30 of 2009 with respect to the Bahrain Chamber for Economic, Financial and Investment Dispute Resolution, as amended by Legislative Decree No. 64 of 2014;

the Electronic Communications and Transactions Law promulgated by Legislative Decree No. 54 of 2018;

the procedural rules governing the resolution of disputes falling under the jurisdiction of the Bahrain Chamber for Dispute Resolution under Section 1 of Chapter 2 of Legislative Decree No. 30 of 2009 issued by Resolution No. 65 of 2009, and its amendments; and

Resolution No. 36 of 2018, regulating the technical specifications for sending, receiving, and updating electronic records and signatures for public entities,

and with the approval of the Supreme Judicial Council;

Resolves as follows:

Article 1

In applying this Resolution, the words used shall have the same meaning as those in Article 1 of the Electronic Communications and Transactions Law promulgated by Legislative Decree No. 54 of 2018.

Article 2

Within the scope and conditions outlined in this Resolution, the Bahrain Chamber for Dispute Resolution shall, adopt electronic means and accept the use of electronic signatures and means, in particular, for the creation, sending, receiving and saving of information.

Article 3

Electronic means may be used at the Bahrain Chamber for Dispute Resolution for:

1. all aspects pertaining to filing the case, payment of fees, case management and administration, including for judicial notifications, case management meetings, hearings, communication, submission of claims, defenses, requests, evidence, memorandums, evidentiary requests, interventions, joinders, impleaders, incidental requests, conservatory measures, and challenges to any decision relating to any of the foregoing, minutes of meetings, and tribunal decisions and judgments and challenges thereto; and
2. all services relating to experts who are permitted to practice before the Bahrain Chamber for Dispute Resolution.

Article 4

When adopting electronic means in accordance with Article 3 of this Resolution, the Bahrain Chamber for Dispute Resolution shall comply with all technical requirements specified in Resolution No. 36 of 2018, regulating the technical specifications for sending, receiving, and updating electronic records and signatures for public entities.

Article 5

This Resolution shall be published in the Official Gazette and be effective on the day following its publication.

**Minister of Justice
Islamic Affairs and Waqf
Khalid bin Ali bin Abdulla Al Khalifa**

Issued on: 9 Ramadan 1442 Hijri

Corresponding to: 21 April 2021