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**Law No. (37) of 2014 regarding regulating the Extraction and Sale of Sea Sand**

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

Having reviewed the Constitution;

Legislative Decree No. (5) of 1971 regarding the Transportation and Taking Away of Sand, Pebbles, and Stones Necessary for Filling Up and Construction Operations, amended by Legislative Decree No. (2) of 1979;

Legislative Decree No. (18) of 1983 regarding Charging Land Reclamation Costs to Landowners;

Legislative Decree No. (2) of 1995 regarding the Protection of Wildlife, amended by Legislative Decree No. (12) of 2000;

Legislative Decree No. (21) of 1996 regarding Environment, amended by the Legislative Decree No. (8) of 1997;

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

Legislative Decree No. (20) of 2002 regarding the Regulation of Fishing, Exploitation, and Protection of Marine Wealth, amended by Legislative Decree No. (45) of 2012;

Law No. (20) of 2006 regarding the Protection of Beaches, Coasts, and Seaports;

Law No. (53) of 2006 considering the Tubli Gulf a Natural Protected Area;

And Legislative Decree No. (47) of 2012 on the Establishment and Organization of Supreme Council for Environment;

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

**Article (1)**

1) The extraction of sea sands shall be prohibited without obtaining a license from the minister responsible for regulating fishing, exploitation, and protection of marine wealth and after obtaining the approval of the relevant authorities and consulting the concerned municipality. The implementing regulation shall specify these authorities.

2) The exportation of the extracted sand outside the Kingdom of Bahrain shall be prohibited without the approval of the Council of Ministers.

3) The Council of Ministers shall determine a fee of not less than ten thousand dinars and not more than fifty thousand dinars annually to obtain a license for the activity of extracting sea sand. The implementing regulation of the Law shall specify the conditions necessary for issuing a license to a natural or legal person.

4) Taking into account the provisions of Legislative Decree No. (21) of 1996 regarding Environment, as amended, the extraction and sale of sea sand shall be under the direct supervision and control of the Department concerned with marine wealth in the Ministry concerned with regulating fishing, exploitation, and protection of marine wealth.

**Article (2)**

1) A committee shall be formed by a decision of the Minister responsible for regulating fishing, exploitation, and protection of marine wealth, headed by the Undersecretary of the Ministry in the concerned authority mentioned above, with the membership of representatives from each of the Ministry of Interior, Ministry of Housing, Ministry of Works, Department of Ports and Maritime Affairs, Supreme Council for Environment, General Directorate of Urban Planning, and the competent municipality. The Minister may, based on the committee's proposal, add any other bodies to this committee.

2) The committee shall propose identifying specific sites in the sea for sand extraction, taking into account preserving the integrity of the marine environment and not endangering wildlife and marine wealth. A decision shall be issued by the responsible minister specifying these sites.

3) The extraction of sand from sites other than those specified by the Minister shall be prohibited.

**Article (3)**

The Minister responsible for regulating fishing, exploitation, and protection of marine wealth may issue a reasoned decision refusing to grant the license if it does not fulfil the conditions stipulated in the Law, the implementing regulation, and the decisions promulgated for the implementation of this law.

The license applicant may file a grievance against this decision within two weeks from the date of his notification of it, and the Minister shall decide on the ruling upon the grievance and notify the grievant in writing of the decision issued in his regard within two weeks from the date of its submission. Those whose grievance has been rejected may appeal before the competent court within thirty days from the date of notification of the rejection of the grievance or from the date of the expiration of the deadline for deciding on the grievance if the Minister does not issue a decision in this regard.

**Article (4)**

The Minister may revoke the license in any of the following cases:

1) If the licensee loses one of the conditions for granting the license.

2) If the licensee seriously violates the provisions of this Law and the regulations and decisions issued for its implementation.

3) If the licensee breaches any of the terms of the license.

4) If the licensee does not start work within nine months from the date of granting the license.

5) If the public interest requires revoking the license. This shall not prejudice the licensee's right to claim fair compensation for damages incurred.

In these cases, the licensee may file a grievance against the decision to revoke the license and appeal against it in accordance with the periods and procedures stipulated in Article (3) of this Law.

**Article (5)**

The price of a cubic meter of extracted sea sand is calculated at its market value at the time of extraction, and that value is determined by a decision of the Minister concerned with municipal affairs after the approval of the Council of Ministers.

The proceeds of the sale shall be transferred to the public treasury of the state, and it may allocate part of these proceeds at a rate not exceeding 1% to the financial funds concerned with supporting the fishing sector and protecting the environment.

**Article (6)**

In the event that the licensed party extracts more sand than the quantity specified for it, the department concerned with marine wealth shall have the right to dispose of the excess quantity, and the proceeds of selling the excess extracted sea sand shall be transferred to the public treasury of the state.

**Article (7)**

The party licensed to extract sand shall compensate for all damages resulting from its violation of the provisions of this Law.

**Article (8)**

1) Imprisonment and a fine of not less than thirty thousand dinars and not more than one hundred thousand dinars, or either of these two penalties, shall be imposed on whoever violates the provisions of Article (1) and Article (2) of this Law. In the event of a repeat violation, the penalty shall be doubled.

2) Without prejudice to the responsibility of the natural person, the legal person shall be liable to the fine stipulated in this Law if the violation is committed for his account, in his name, or by one of his employees or one of his representatives.

3) The attempt to commit a crime shall be punishable by half the penalty prescribed for the complete crime.

**Article (9)**

The Minister concerned with municipal affairs, after the approval of the municipal councils, shall issue the implementing regulation of this Law, within a period not exceeding six months from the date of issuance of this Law.

**Article (10)**

All provisions contrary to the provisions of this Law shall be repealed.

**Article (11)**

The Prime Minister and the Ministers - each within his jurisdiction - shall implement this law, and it shall come into force from the day following the lapse of thirty days 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: 11 Shawwal 1435 A.H.

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