**Board of Trustees of the Higher Education Council**

**Decision No. (206) of 2023
promulgating the Regulation Organising the Work of
Private Higher Education Institutions[[1]](#footnote-1)**

Chairman of the Board of Trustees of the Higher Education Council:

Having reviewed the Legislative Decree No. (19) of 1995 regarding the Evaluation of Academic Qualifications;

Law No. (3) of 2005 regarding Higher Education, as amended by Legislative Decree No. (31) of 2020;

Decision No. (1) of 2007 regarding the Regulation of Procedures, Criteria and Conditions for Licensing Private Higher Education Institutions, as amended by Decision No. (1) of 2012;

Decision No. (2) of 2007 regarding the Academic and Administrative Regulations for Higher Education Institutions, as amended;

Decision No. (3) of 2007 regarding the Financial Regulation for Private Higher Education Institutions, as amended;

Decision No. (4) of 2007 regarding the Regulation of Buildings and Facilities for Higher Education Institutions;

Decision No. (5) of 2009 regarding the Procedure for the Amendment of the Licensing of Private Higher Education Institutions;

Decision No. (1127/م ع ن/2017) regarding the Regulation for Sports Installations and Facilities in Higher Education Institutions;

Decision No. (1247/م ع ن/2017) promulgating the Regulation Organizing the Scientific Research in Higher Education Institutions;

And Decision No. (85/م ع ن/ 2022) regarding the Categories of Fees Due for Some Services provided by the Higher Education Council;

And after the approval of the Board of Trustees of the Higher Education Council,

**Hereby Decides:**

**Article One**

The provisions of the Regulation Organizing the Work of Private Higher Education Institutions attached to this Decision shall apply.

**Article Two**

The following decisions shall be repealed:

1- Decision No. (1) of 2007 regarding the Regulation of Procedures, Criteria and Conditions for Licensing Private Higher Education Institutions.

2- Decision No. (2) of 2007 regarding the Academic and Administrative Regulations for Higher Education Institutions.

3- Decision No. (3) of 2007 regarding the Financial Regulation for Private Higher Education Institutions.

4- Decision No. (4) of 2007 regarding the Regulation of Buildings and Facilities for Higher Education Institutions.

5- Decision No. (5) of 2009 regarding the Procedure for the Amendment of the Licensing of Private Higher Education Institutions.

6- Decision No. (1127/م ع ن/2017) regarding the Regulation for Sports Installations and Facilities in Higher Education Institutions.

7- Decision No. (1247/م ع ن/2017) promulgating the Regulation Regulating the Scientific Research in Higher Education Institutions.

Any text that contradicts the provisions of this Regulation shall be repealed.

**Article Three**

The Higher Education Council Secretary General shall implement the provisions of this Decision, and it shall come into force from the day following the date of its publication in the Official Gazette.

**Chairman of the Board of Trustees of the Higher Education Council**

**Dr. Mohammed bin Mubarak Juma**

Issued on: 20 Shaaban 1444 H.

Corresponding to: 12 March 2023

**Regulation Organizing the Work of Private Higher Education Institutions**

**Chapter One**

**Definitions and General Provisions**

**Article (1)**

**Definitions**

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

**Kingdom**: The Kingdom of Bahrain.

**Law:** Law No. (3) 2005 regarding Higher Education.

**Board of Trustees**: Board of Trustees of the Higher Education Council.

**General Secretariat:** General Secretariat of the Higher Education Council.

**Secretary-General:** Secretary General of the Higher Education Council.

**Institution:** The private higher education institution that undertakes higher education.

**Board of Trustees of the Institution:** Board of Trustees of the Private Higher Education Institution.

**President of the Institution**: President of the Private Higher Education Institution.

**Article (2)**

**Objectives of this Regulation**

The following objectives shall be taken into account when applying or interpreting the provisions of this Regulation:

1- Providing a high-level educational system within the institution that leads to the development of students' capabilities and skills, enabling them to innovate and be creative.

2- Enhancing the performance quality of the institution, ensuring its sustainability and the efficiency of its outcomes to achieve the highest levels of performance.

3- Encouraging investment in the higher education sector.

4- Addressing all aspects of institutions with integrity, transparency, effectiveness, fairness and in an organized and speedy manner.

**Article (3)**

**The Principles of Management and Governance for Private Higher Education Institutions**

The Board of Trustees, after consulting with the relevant authorities, shall issue a Document of Principles of Management and Governance of Institutions in accordance with the best international practices. This aims to enhance confidence in higher education, mitigate harmful practices, ensure the delivery of educational services with high quality and efficiency, and achieve the required independence for these institutions.

**Article (4)**

**E-Learning and Distance Education**

The Board of Trustees shall issue a decision specifying the conditions and guidelines to be observed in conducting education through e-learning and distance education systems in the institutions.

**Article (5)**

**Request for Information and Reports from the Institution**

The Higher Education Council may request the institution to provide any data, information, documents, or reports necessary to fulfil its duties as stipulated by the law and this Regulation, within a reasonable period set forth in the request.

**Article (6)**

**Publication of Decisions and Instructions**

The Board of Trustees and the General Secretariat shall, as appropriate, publish the decisions and instructions issued to implement the provisions of the law and this Regulation on the website of the Higher Education Council or through any other appropriate means.

**Article (7)**

**Communication Between the General Secretariat and the Institution**

a. All correspondence and notifications between the General Secretariat and the institution shall be conducted through the official e-mail or any other means specified by a decision from the Board of Trustees.

b. Each institution shall provide the General Secretariat with its official e-mail and any updates made thereto.

**Article (8)**

**Compliance with Quality Standards**

The institution shall comply with the standards of the Quality Assurance Authority for Education and Training regarding institutional and programmatic reviews, accreditation of programs, National Qualifications Framework processes including institutional inclusion, program allocation, program accreditation, and other related processes.

**Chapter Two**

**Procedures and Conditions for Licensing Institutions**

**Article (9)**

**License Applications Register**

A register shall be established in the General Secretariat to record applications for authorization to establish an establishment.

**Article (10)**

**Submitting the License Application**

a. The application for obtaining a license to establish one or more Private Higher Education Institutions shall be submitted to the General Secretariat through the official website after paying the fee prescribed for application review. The application shall be complete with all required data and supported by the necessary documents indicated on the website or the records system.

b. Each applicant may apply for a license to establish one or more institutions, and the Board of Trustees shall consider each application separately.

**Article (11)**

**Review of the License Application**

The General Secretariat shall conduct a review of the application for establishing the institution and may form specialized technical committees and seek the assistance of experts and specialists to study the submitted applications.

If the General Secretariat deems it necessary to obtain additional information, data, documents, or make any amendments, the applicant shall be notified accordingly.

The General Secretariat shall prepare a report and refer it, along with the application, to the Board of Trustees for consideration within a maximum period of one month from the date of fulfilling all required data, information, or documents.

**Article (12)**

**Deciding on the License Application**

Taking into account the provisions of the Article Ten of the law, the Board of Trustees shall decide on the license application, granting preliminary approval, final approval, or rejecting the application, within a maximum period of three months from the date of presenting the report to it. In case of rejection, the decision shall be in writing and state the reasons for the rejection.

**Article (13)**

**Initial Approval and its Duration**

The Board of Trustees may grant the applicant an initial approval to fulfil the required data, information, or documents, and to complete obtaining the necessary approvals, permits, and requirements from the relevant authorities. The duration of the preliminary approval shall be three years, extendible.

**Article (14)**

**Cancellation of the Initial Approval**

The initial approval may be cancelled by a decision of the Board of Trustees based on a recommendation from the General Secretariat if the project is not implemented within three years from the date of issuance, except in the following cases:

1- If the delay in project implementation is due to reasons beyond the licensee's control.

2- If the progress achieved in the project confirms the seriousness of the licensee.

3- If the interest requires to grant another extension to the licensee for project implementation.

**Article (15)**

**Grievance against the Rejection Decision**

Any person whose request has been rejected may file a grievance to the President of the Board of Trustees within sixty days from the date of notification of the rejection. The Board of Trustees shall decide on the grievance within sixty days from its submission.

**Article (16)**

**License Issuance**

a- The issuance of the license shall be in the form of a decision from the Board of Trustees, after verifying that all requirements, approvals, permits, and prescribed fees have been fulfilled. The duration of the license shall be ten years, renewable.

b- An annual fee shall be imposed for the license or its renewal.

**Article (17)**

**Financial Security**

a- The institution shall provide a financial guarantee in accordance with the provisions of paragraph (d) of this Article, specifying its value based on the institution's capacity, upon the issuance or renewal of the license.

b- The guarantee shall remain valid throughout the duration of the license. The General Secretariat may accept a financial guarantee with a duration shorter than the license period, in accordance with the instructions issued by the Board of Trustees in this regard. However, the institution shall submit a new guarantee at least three months before expiry of the existing guarantee, and the General Secretariat may release the financial guarantee if the institution fails to submit the new guarantee within the specified time frame.

c- The financial guarantee that the institution commits to, after obtaining or renewing the license, shall be based on its capacity, as follows:

1- 500 students and less (500.000) five hundred thousand Dinars.

2- More than 500 - 1000 students (1.000,000) one million Dinars.

3- More than 1000 - 2000 students (1.500.000) one million five hundred thousand Dinars.

4- More than 2000 - 2500 students (2.000.000) two million Dinars.

5- More than 2500 students, (800) eight hundred Dinars shall be paid per student.

d- The financial guarantee shall be fulfilled through one of the following methods:

1- In cash.

2- A guarantee letter issued by one of the accredited local banks.

3- An insurance policy from one of the accredited local insurance companies.

e- The financial guarantee shall be allocated to address the obligations arising from the institution's inability to continue and its failure to provide similar educational opportunities for students wishing to continue their studies or to enable students wishing to seek a refund of their tuition fees to retrieve them.

f- In all cases, the guarantee letter or insurance policy shall not be attached to any condition or restriction and shall include the acknowledgement of the bank or insurance company, as applicable, to pay, under the Board of Trustees' order, an amount equivalent to the required guarantee or insurance amount and be prepared to make the payment in full upon the first request without regard to any objections from the institution or any other party.

**Article (18)**

**Assignment of License**

a- The licenses of private higher education institutions are personal, and they cannot be assigned to others, with or without compensation, except after obtaining the approval of the Board of Trustees and payment of the prescribed fee.

b- Anyone who acquires ownership of an institution shall apply to the Board of Trustees for the license to be accredited in their name. The accreditation of this license shall be subject to fulfilling all the conditions prescribed by law.

c- The notification of the assignment of the license and its accreditation in the name of the new owner shall be published in the Official Gazette or on the official website or through any other means determined by the Board of Trustees to ensure that it is accessible to the public.

**Article (19)**

**Legal Form of the Institution**

a- The institution may take one of the following forms:

1- University.

2- Faculty.

3- Institute.

4- Any other form as specified by a decision of the Board of Trustees.

b- The institution may change its legal form based on a request submitted to the General Secretariat, accompanied by the documents and information specified in the application form for establishing branches of the institution published on the official website. The provisions and procedures prescribed for obtaining the license shall apply to the request for changing the legal form, and the prescribed fees shall be paid.

**Article (20)**

**Establishing Branches for the Institution**

The institution may establish branches to contribute to achieving any of its purposes. This can be done by submitting a request to the General Secretariat, accompanied by the documents and information specified on the official website. The branch shall be subject to all the provisions and procedures prescribed for obtaining the license, and the required fees shall be paid.

**Article (21)**

**Suspension of Institution's Activities**

The institution may not suspend its activities, either completely or partially, without obtaining approval from the Board of Trustees. In case the institution desires to suspend its activities, a request shall be submitted at least one academic year before the proposed date of suspension, outlining the proposed procedures to safeguard the interests of students and staff.

The institution shall continue its operations until the completion of the procedures for transferring students to other institutions. The institution may not accept new students after submitting the request for suspension.

**Chapter Three**

**Management and Operation of the Institution**

**Article (22)**

**Internal Regulations of the Institution**

A- The Institution shall establish its internal regulations to regulate its academic, financial and administrative affairs in accordance with the licensing conditions. The Institution shall notify the General Secretariat within seven days from the date of approval. The General Secretariat shall have the right to object to these regulations or any of the provisions therein within sixty days from the notification.

B- The Board of Trustees may establish model internal regulations for institutions to regulate their academic, financial and administrative affairs. The model regulations or separate decisions may specify the provisions that shall be included in the internal regulations and the provisions that are not allowed to be included.

**Article (23)**

**Mandatory Hours and Courses**

The Board of Trustees shall determine the minimum hours and mandatory courses for each program or specialization. It may exempt programs and specializations hosted by foreign universities.

**Article (24)**

**Establishment of Programs or Specializations**

a- In case the Institution establishes programs or specializations not mentioned in its issued license, it shall submit a request to the General Secretariat, accompanied by the required documents and information as stated on the website, and after paying the prescribed fees.

b- The General Secretariat may request the Institution to provide any additional documents or information that support the request for approval of establishing the program or specialization, including its relevance to the labour market requirements and needs.

c- The Board of Trustees shall issue its decision of approval or rejection within three months from the date of submission of the request. If the request is rejected, the Board's decision shall be written, stating sufficient reasons and supported with all the details, information, and facts that led to the rejection.

**Article (25)**

**Suspension or Restriction of Programs or Specializations**

The Board of Trustees, after consulting relevant government entities related to the labour market and the quality of education and training, may issue a decision to suspend any programs or specializations or to restrict the admission criteria for Bahraini students, in accordance with the labour market requirements and needs.

**Article (26)**

**Academic Cooperation Conventions with Foreign Educational Institutions**

The Institution shall obtain the approval of the Board of Trustees on the draft academic cooperation conventions with foreign educational institutions before signing them if they pertain to granting academic degrees, offering joint programs, or mutual academic supervision.

**Article (27)**

**Study System in the Institution**

a- Without violating the provisions of Article (23) of this Regulation, the Institution shall issue an internal regulation concerning its study system. This system shall specifically include the following:

1- The study plan, which shows the minimum number of approved hours required to obtain the academic or applied degree, including the minimum mandatory and elective requirements of the Institution, college and specialization, as well as the number of optional hours if available and the minimum graduation grade limits on both the general and specialization levels.

2- Procedures and conditions for accepting new students, in accordance with the admission criteria set by the Board of Trustees.

3- Attendance and withdrawal from studies.

4- Deferral or interruption of studies.

5- Re-registration.

6- Graduation requirements.

7- Student dismissal rules.

8- Distance learning rules, if applicable.

9- Examinations, evaluations, and final exam procedures.

10- Visiting student.

11- Student academic record.

12- Maximum allowed registered hours per semester in the course-based system.

13- Internal transfer system between programs within the Institution.

14- Graduation conditions.

15- Student disciplinary regulations.

16- Mechanisms for cooperation with other institutions.

b- The Board of Trustees may issue one or more models for the study system in the Institutions, taking into consideration the nature and capacity of the Institutions to accommodate students. It may as well specify in the model regulations or in separate decisions the provisions that shall be included in the Institution's regulations for the study system and the provisions that should not be included.

**Article (28)**

**Student Councils**

a- The Board of Trustees shall determine the types of institutions required to establish student councils.

b- The Institution shall issue a system for student councils, including their formation, defining their competencies, and any other matters, in order to enhance the relationship between the Institution and the students, promote participation in improving the educational environment within the Institution, encourage student engagement in Institution activities, foster constructive dialogue, respect different opinions and promote values of tolerance and coexistence.

**Article (29)**

**Transfer of Students between Institutions**

The Board of Trustees shall issue a decision regulating all the necessary rules and conditions to be considered for transferring students from one Institution to another.

**Article (30)**

**Approval of Examination Results and Certificates**

The final examination results of the Institution and the certificates issued by it shall be approved in accordance with the rules and procedures specified in the Institution's internal regulations. The approval shall be done by the President of the Institution and the Dean of Admissions and Registration, and the certificates shall be stamped with the official seal of the Institution.

The Board of Trustees may issue a decision specifying the rules and procedures that the Institution shall consider in its internal regulations.

**Article (31)**

**Mechanism for measuring the percentage of graduates obtaining a job**

The Institution shall develop a mechanism for measuring the employment rate of its graduates, according to each specialization, whether they work in their field of specialization or not, taking into account any decisions issued by the Board of Trustees to regulate the measurement mechanism.

**Article (32)**

**Postgraduate Studies**

The internal regulations of the Institution shall govern all matters related to postgraduate studies.

The Board of Trustees shall issue directives that the Institution shall consider when opening postgraduate study programs.

The Board of Trustees may issue one or more models for the system of postgraduate studies, taking into consideration the nature of these Institutions. It is also entitled to specify in the model regulations or in separate decisions the provisions that must be included in the Institution's regulations regarding postgraduate studies and the provisions that shall not be included.

**Article (33)**

**Scientific Research**

The Institution shall be committed to providing adequate facilities and amenities to facilitate scientific research, such as libraries, laboratories, databases, subscriptions to scientific journals, and membership in professional scientific organizations and associations.

The allocated percentage for scientific research shall not be less than 3% of the Institution's annual net revenues. The Board of Trustees shall issue a decision outlining the national policy for scientific research and its financing mechanisms.

**Article (34)**

**Keeping of Records and Documents**

a- The Institution shall keep records containing all the data and information concerning its students, staff, programs offered, student attendance, and other data and information as determined by a decision from the Board of Trustees.

b- The Institution shall permanently keep the following documents:

1- A copy of the final license.

2- The financial data of the Institution for the past five years.

3- Any other documents as determined by a decision from the Board of Trustees.

c- The Institution shall update the records and documents mentioned in paragraphs (a) and (b) of this Article within ten working days from the date of any modification or change in the recorded information or from the date it becomes aware of such modification or change.

d- The President of the Institution shall make the records, documents and information mentioned in this Article available for inspection by the employees of the General Secretariat.

e- The records of the Institution, whether paper or electronic, shall have the necessary guarantees for the protection of data and information, and shall state any changes made to this data or information.

**Article (35)**

**Cases Requiring Notification to the General Secretariat**

a- The Institution shall notify the General Secretariat within a period not exceeding twenty days in any of the following cases:

1- If any changes occur in any of the data submitted to the General Secretariat for obtaining or renewing licenses.

2- If a judicial ruling is issued against the President of the Institution, his deputies, deans, or any of the educational staff members with a freedom restricting penalty.

3- If any legal actions are taken against the Institution.

4- If there is any change in its administration or in the membership of its Board of Trustees.

5- If a teacher is not available to teach the curriculum after seven days from the start of the program.

6- Any other cases as determined by a decision from the Board of Trustees.

b- The General Secretariat may request the Institution to provide all documents and data related to the notification within a reasonable period as specified in its request.

**Chapter Four**

**Administrative Organization of the Institution**

**Article (36)**

**Board of Trustees of the Institution**

a- Each institution shall have a Board of Trustees composed of experienced and competent individuals, formed in accordance with the rules and conditions specified in the institution's internal regulations. It shall not be permissible to appoint members of the institution's Board of Trustees except after obtaining the approval of the existing Board of Trustees. The Board of Trustees may request further information and documents from the institution. If the appointment is not approved due to the absence of the required conditions, the Board of Trustees must express their objection within thirty days from the date of notification. If this period elapses without any objection, the appointment of the members of the institution's Board of Trustees is permissible.

b- The institution's internal regulations shall define the competence and working system of the institution's Board of Trustees, without violating the legal system under which it was established, or the provisions of the Commercial Companies Law if the institution adopts one of the forms of commercial companies.

c- The Board of Trustees may issue a resolution specifying the mandatory conditions that must be met by the members of the institution's Board of Trustees.

**Article (37)**

**President of the Institution**

a- Each institution shall have a president who is appointed by a decision of its Board of Trustees after obtaining the approval of the existing Board of Trustees. The Board of Trustees may request additional information and documents from the institution. If the appointment is not approved due to the absence of the required conditions, the Board of Trustees shall express their objection within thirty days from the date of notification. If this period elapses without any objection, the Board of Trustees of the institution shall be permitted to issue their decision on the appointment.

b- The president of the institution shall dedicate himself to its management and is responsible before the Board of Trustees and the General Secretariat for its operations.

c- The following conditions shall be required for appointing a president of the institution:

1- He shall hold a doctoral degree if the institution adopts the form of a university. If the institution adopts a different form, he shall hold an appropriate qualification in accordance with the determination of the General Secretariat.

2- He shall possess the necessary competence and experience in both academic and administrative aspects to enable him to manage the institution.

3- He shall have a good reputation and conduct, and shall not have been previously convicted in a crime involving honour or trust, unless he is rehabilitated.

4- He shall not have been previously dismissed from his job by a disciplinary decision or judgement for reasons related to public morals.

5- He shall be medically fit.

6- He shall have not committed any act that may harm the reputation of the Kingdom or its interests, either domestically or internationally.

7- He shall not hold a position in any political association or be involved in any activity with a political nature.

8- Any other conditions determined by a decision of the Board of Trustees.

d- The term of office of the president shall be four years, renewable, unless the institution's internal regulations state otherwise.

**Article (38)**

**Duties and Powers of the President of the Institution**

The President of the Institution shall assume the affairs of the institution and shall be responsible for overseeing its operations in accordance with the provisions of this Regulation. In particular, the President shall:

1- Manage the institution and supervise its operations to ensure the efficient achievement of its objectives and the quality of educational performance.

2- Take the necessary measures to ensure compliance with the provisions of this Regulation and the decisions issued in implementation thereof.

3- Provide the General Secretariat with accurate files, records, books, documents, data and information within a reasonable period as determined by the General Secretariat in its request.

4- Verify the qualifications and requirements of all academic and technical staff working in the institution and monitor the provision and support of their training plans and programs.

5- Enable the employees of the General Secretariat and relevant authorities to carry out examination, evaluation and inspection tasks.

6- Perform other tasks and authorities specified in this Regulation and the decisions issued in implementation thereof.

**Article (39)**

**Deputies of the President of the Institution**

a- Deputies of the President of the Institution shall meet the conditions specified in clauses (2), (3), (4), (5), (6) and (7) of paragraph (c) of Article (37) of this Regulation. The Institution shall notify the Board of Trustees before issuing the appointment decision, and the Board of Trustees may request further information and documents or object to the appointment due to the absence of the required conditions within thirty days from the date of notification. If this period elapses without objection, the Board of Trustees may proceed with appointing the Deputies of the President.

b- The Deputy of the President responsible for academic affairs shall hold a doctoral degree if the Institution takes the form of a university.

c- The Institution's internal regulation shall determine the number of Deputies of the President and their competencies, as well as the conditions and procedures for their appointment.

**Article (40)**

**Dean of the Faculty**

The Dean of the faculty shall meet the conditions specified in paragraph (c) of Article (37) of this Regulation.

The Institution shall notify the General Secretariat before issuing the appointment decision, and the General Secretariat may request further information and documents or object to the appointment due to the absence of the required conditions within thirty days from the date of notification.

The Institution's internal regulation shall determine the conditions and procedures for appointing the Deans of the faculties.

**Article (41)**

**Educational Staff**

a- The Institution shall not employ any person to teach any of its curricula unless the person:

1- Holds the minimum qualifications and expertise required for teaching the curriculum.

2- Has not been convicted of a felony or a crime against honour or trust, unless he has been rehabilitated.

3- Has not been previously dismissed from his job by a disciplinary decision for reasons related to public morals.

8- Any other conditions determined by a decision of the Board of Trustees in accordance with the programs and specializations.

b- The President of the Institution shall notify the General Secretariat of the appointment or employment of any member of its educational staff.

c- The General Secretariat may impose restrictions on the appointment of any member of the Institution's educational staff, including the subjects or stages and academic levels they are allowed to teach, if they do not possess the necessary qualifications and expertise.

d- The Board of Trustees may issue mandatory instructions and guidelines and directives regarding the appointment of members of the educational staff, to be published on the General Secretariat's website.

e- The Institution shall verify the academic qualifications of faculty members upon appointment and promotion.

f- The internal regulation of the Institution shall regulate all matters related to the faculty members, including determining their titles, academic workload, other conditions of appointment, and the criteria for evaluating their performance and competency in teaching and promotion.

g- The Board of Trustees may establish model internal regulations to organize faculty members' affairs, and it may specify in these model regulations or in separate decisions the provisions that shall be included in the internal regulations and the provisions that are not allowed to be included.

**Article (42)**

**Exemption of Institution Employees**

a- The Board of Trustees may request the Institution to exempt its President, any of his deputies, deans of faculties or members of its educational staff in either of the following cases:

1- Lack of the necessary qualifications or incapacity to perform their duties and responsibilities.

2- If he no longer fulfils one of the conditions of appointment.

b- Before the Board of Trustees requests the exemption of the President of the Institution, any of his deputies, the dean of the faculty, or any member of its educational staff, it shall notify the Board of Trustees, specifying the justifications for the request, along with all details, data, and facts. The Institution shall be given sufficient opportunity to hear its opinion and respond to the request, either by objecting to or accepting it, and presenting its defence and evidence.

c- Upon the exemption of the President of the Institution based on the request of the Board of Trustees according to the provisions of Paragraph (A) of this Article, the Board of Trustees shall appoint a new President or assign one of his deputies within thirty days from the date of exemption. If the Board of Trustees refrains from appointing a successor to the President, the Board of Trustees may appoint a temporary external President to manage the affairs of the Institution until a new President is appointed by the Board of Trustees. The Institution shall bear the fees of the temporary external President.

**Article (43)**

**Non-Bahraini Institutions**

Every non-Bahraini Institution whose main headquarters is located outside the Kingdom and licensed to operate in the Kingdom shall comply with selecting its teaching staff according to the same criteria followed in its parent institution, provided that the requirements stated in this Article are fulfilled.

**Chapter Five**

**Regulation of Financial Affairs of the Institution**

**Article (44)**

**Fiscal Year of the Institution**

The financial year of the Institution shall begin on the first day of January and shall end on the 31st of December each year. The financial system of the Institution may state otherwise, subject to the approval of the General Secretariat.

**Article (45)**

**Resources of the Institution**

The resources of the Institution shall consist of the following:

1- Contributions from the founders to the capital of the Institution or any payments made by them after its establishment.

2- The tuition fees prescribed for students.

3- Its share of funds held in trust or recommended for it.

4- Its share of the legal entity's revenues to which it belongs.

5- Grants, gifts, and donations accepted by the Institution, provided they do not conflict with its objectives, in accordance with the laws and regulations applicable in this regard.

6- The proceeds from activities and events organized by it.

7- The returns resulting from the investment of its movable or immovable assets.

8- Any other resources approved by the Board of Trustees.

**Article (46)**

**Annual Budget of the Institution**

Each Institution shall have an annual estimated budget that outlines its projected annual revenues and expenses, accompanied by supporting documents and data for these estimates. The Institution shall notify the General Secretariat of the budget within ten days from the date of its approval.

The General Secretariat shall have the right to provide comments on the budget if it includes any violations of laws or regulations or if it does not serve the objectives of the Institution.

**Article (47)**

**Financial Default**

The President of the Institution must immediately notify the General Secretariat if the Institution is unable to pay salaries amounting to 5% of the total salaries of its employees or if it encounters difficulties in fulfilling its financial obligations with third parties.

**Article (48)**

**Accepting Donations**

Without prejudice to the laws and regulations governing fund raising for public purposes, institutions shall notify the General Secretariat of all donations, grants, bequests and loans received from or granted to third parties, exceeding the value of ten thousand Dinars, within one month from the date of receipt.

**Article (49)**

**Financial Affairs and Internal Control Regulation**

In matters not specifically addressed in this Regulation, the Institution's internal Regulation shall regulate its financial affairs and internal controls, including the establishment of a system for expenditure, internal audit, accounting, documentary cycle, procurement rules and sales rules and leasing, as well as the inventory system.

The Board of Trustees may establish model internal regulations for institutions to regulate the financial affairs and internal control. The model regulations or separate decisions may specify the provisions that shall be included in the internal regulations and the provisions that are not allowed to be included.

**Article (50)**

**Tuition Fees**

a- The Institution shall determine a list of its tuition fees, which shall constitute an agreement with the student throughout their enrolment in the Institution until the completion of the program.

b- The Institution may amend its tuition fee list, provided that it only applies to newly admitted students. The list of tuition fees shall be effective only after notifying the General Secretariat and notifying it to the public by the means specified by the General Secretariat at least six months prior to the start of the new academic year.

**Article (51)**

**Utilization of Private Higher Education Institution Buildings and Facilities**

Without prejudice to the laws and regulations applicable in the Kingdom, the Institution may utilize its buildings or facilities for purposes such as renting its playgrounds and hosting temporary exhibitions, markets and festivals, provided that such utilization does not conflict with its establishment purposes or adversely affect the educational process or the interests of the students.

The Institution shall notify the General Secretariat before any utilization of its buildings or facilities, with a notice period of not less than ten days. The General Secretariat has the right to object to such utilization within five days from the notification, providing the reasons for the objection.

**Article (52)**

**Appointment of External Auditor**

a- The Institution shall be committed to appointing an external auditor licensed to audit its accounts annually in accordance with the best international accounting standards. The external auditor's report shall include a specific section on auditing matters related to research and professional development expenditures.

b- The General Secretariat may specify a list of approved external auditors and the Institution may appoint an auditor from this list.

**Article (53)**

**Submission of Audited Final Statements**

The Institution shall be committed to submitting its annual financial statements, accompanied by the report of the external auditor, to the General Secretariat no later than five months from the end of the Institution's fiscal year.

**Chapter Six**

**Organizing the buildings, facilities and premises of the Institution**

**Article (54)**

**Requirements for the buildings, facilities and premises of the Institution**

a- The following shall be available in the buildings, facilities, and premises of the institution:

1- Construction, health, security and safety requirements according to the laws and regulations issued by the relevant authorities.

2- The location of the institution shall be suitable and easily accessible without causing disruptions to traffic.

b- The license applicant shall provide a report from a licensed engineering office regarding the suitability of the buildings, facilities and premises of the institution to provide educational services. The report shall specify the maximum capacity of the buildings and facilities. If the required conditions are not met in the buildings, facilities or premises, the engineering office may suggest alternative solutions that can meet the required conditions without compromising the quality of the educational environment.

c- The institution shall have main entrances, offices for the teaching and administrative staff, meeting rooms, classrooms, laboratories, corridors, student lounges, restrooms, cafeterias, medical clinics, prayer rooms, gardens, green areas, parking lots, and sports halls or areas.

d- The Board of Trustees shall issue a decision to regulate the necessary conditions that shall be met in the buildings, facilities, and premises of the institution based on its nature to ensure their suitability to provide educational services effectively, in line with their capacity. The decision may also regulate safety and security services in the institution.

e- No construction, addition, or demolition of any part of the buildings, facilities and premises of the institution, or any modification by expansion or elevation, shall be allowed without obtaining approval from the General Secretariat and the relevant authorities.

f- The General Secretariat shall decide on the approval requests mentioned in paragraph (e) of this Article within a period not exceeding twenty days from the date of submission of the request, provided that it includes the approvals and permits from the relevant authorities. If the General Secretariat requires additional information or documents or requests modifications, the applicant must be notified within a period not exceeding seven working days from the date of submission.

**Article (55)**

**Availability of Technical and Educational Arrangements and Facilities**

The institution shall have the necessary technical and educational arrangements and facilities to achieve its objectives efficiently and ensure the quality of educational performance, as well as ensuring the safety of its students and staff, in line with its capacity.

The Board of Trustees issues a decision to specify the required technical and educational arrangements and facilities, taking into account the nature of the institution and its capacity.

**Article (56)**

**Providing Facilities for Persons with Disabilities**

a- The institution shall have the necessary facilities in its buildings and facilities to assist persons with disabilities in accessing and using its facilities on an equal basis with others.

b- The institution shall not be allowed to remove or alter the necessary facilities or installations intended to assist persons with disabilities or cause unreasonable hindrance to their use or delay in their repair.

c- The Board of Trustees may issue a decision specifying the required facilities to be provided or installed by the institution during the design or implementation of buildings, projects, installations or facilities.

**Article (57)**

**Periodic and Urgent Repairs**

The institution shall be required to carry out periodic repairs promptly for its buildings, facilities, structures, installations and equipment to ensure their proper functioning and to achieve the objectives of the institution. The institution shall also be obligated to carry out urgent repairs immediately for its buildings, facilities, structures, installations and equipment to ensure the safety of its students and staff and to maintain the continuity of the educational process.

The Board of Trustees may issue a decision providing instructions that the institution shall consider regarding periodic or urgent repairs, including the requirement of providing a certificate to the General Secretariat indicating the completion of periodic repairs by a consulting engineer or relevant authority.

**Article (58)**

**Special Criteria and Requirements**

The Board of Trustees may establish special criteria and requirements for the buildings, facilities and installations of institutions based on the nature of each specialization or program.

**Chapter Seven**

**Supervision and Inspection**

**Article (59)**

**Competence of the General Secretariat and Powers of the Inspectors**

a- The General Secretariat shall be responsible for supervising and inspecting institutions to ensure the implementation of the provisions of the law, this Regulation, and the decisions issued in implementation thereof.

b- The inspectors appointed by the Secretary-General from among the employees of the General Secretariat or others, to carry out inspection duties, shall have the following authorities:

1- Enter institutions, their branches and other relevant premises to inspect and examine them.

2- Request access to files, records, books, documents, data and information available at the institutions and obtain copies thereof.

3- Hear the statements of anyone suspected to be related to the subject of the investigation among the employees of the institutions.

c- The President of the institution, his deputies as well as the officials and employees of the institution shall not hinder the inspectors of the General Secretariat in the performance of their duties and shall provide them with the necessary files, records, books, documents, data and information to carry out their duties within a reasonable time frame as determined by them.

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. [↑](#footnote-ref-1)