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**Legislative Decree No. (2) of 1997** **regarding Offices of Educational Services for Students Studying Abroad**

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

Having reviewed the Constitution,

Emiri Order No. (4) of 1975;

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

And upon the submission of the Minister of Education;

And after consulting the Shura Council,

And after the approval of the Council of Ministers,

**Hereby Decree the following Law:**

**Chapter One**

**Definitions**

**Article - 1 -**

In applying the provisions of this Decision, the following words and expressions shall have the meanings assigned to them below:

1- **Ministry**: Ministry of Education.

2- Minister: Minister of Education.

3- Directorate: Directorate of Cultural Affairs and Scholarships.

4- **Office:** Every private office licensed in the State of Bahrain to provide educational services to students in educational institutions abroad accredited by the Ministry.

5- **Licensee:** Every natural or legal person issued with a license to open an Office in accordance with the provisions of this Law.

6- **Office Manager:** The natural person who manages the Office.

7 - Educational institution: The educational institution located outside the State of Bahrain and recognised under Legislative Decree No. (19) of 1995 regarding the evaluation of academic qualifications.

**Chapter Two**

**Office Licensing and Conditions**

**Article - 2 -**

No natural or legal person may provide any of the works and services stipulated in this law except through an Office licensed in accordance with the provisions of this Law.

**Article - 3 -**

The licence applicant shall meet the following conditions:

a - He must be a Bahraini national, permanently residing in the State of Bahrain.

b - He must be fully qualified and his age at the time of submitting the application must not be less than twenty-five years.

c - He must have at least a high school diploma or its equivalent.

d- He shall not have been convicted of penal or disciplinary punishments involving honour, trustworthiness or moral turpitude, unless being acquitted thereof.

e - There must not have been a decision previously issued to cancel the licence of his office, for one of the reasons stipulated in Clauses A, B, F, and G of Article (20) of this Law.

If the licence applicant is a legal person, his legal representative must meet the above conditions, his main headquarters must be in the State of Bahrain, and his activity must be in the field of education.

**Article - 4 -**

The Minister shall issue a decision regarding the requirements that must be met in the offices stipulated in this Law.

**Article - 5 -**

The office must have a manager who meets the following conditions:

1- He must have a university degree from a recognised university.

2- He must have sufficient experience in the field of administrative work or civil offices for students studying abroad, not less than two years.

3- He must not have been convicted of penal or disciplinary punishments involving honour, trustworthiness or moral turpitude, unless being acquitted thereof.

4- He must be fully qualified and his age must not be less than twenty-five years.

5- To be dedicated to his work in the Office and to submit a pledge to do so.

The person licensed to open the Office may be its manager, provided that he meets the conditions referred to above.

If a deputy manager is appointed for the Office, the necessary conditions for appointing the manager must be met.

**Article - 6 -**

Applications for obtaining a licence shall be submitted to the Directorate of Cultural Affairs and Scholarships, on the form prepared by the Ministry for this purpose.

The Directorate shall notify the licence applicant within thirty days from the date of his submission of the application of its acceptance or rejection, along with a statement of the reasons. In the event of failure to respond to the licence applicant within that period, this shall constitute a rejection of his application.

In the event that the application is approved, the Minister shall issue a decision to that effect, notifying the licence applicant by a registered letter with acknowledgement of receipt after submitting a bank guarantee for a period of three years, the value of which shall be determined by a decision of the Minister after the approval of the Council of Ministers.

It is not permissible to grant more than one licence to one person.

**Article - 7 -**

The licence applicant may file a grievance against the licence rejection decision, to the Minister within thirty days from the date of notifying him of this by registered letter with acknowledgement of receipt, or from the date on which the deadline stipulated in the previous article has passed without him responding to his request. The Minister shall issue his decision on the grievance within thirty days from submission date.

In all cases, the licence applicant has the right to appeal the decision to reject his grievance before the High Civil Court within sixty days from the date of his notification of the rejection decision or from the date on which the period stipulated in the previous paragraph has passed without his grievance being answered.

**Article - 8 -**

The licence is issued for a period of three years, renewable for the same period. Upon renewal, all conditions necessary to obtain the licence must be met.

**Article - 9 -**

The license issued in accordance with the provisions of this Law is personal, and may not be waived except after obtaining written approval from the Ministry.

**Article - 10 -**

The Office must begin its work within a period not exceeding six months from the date of issuance of the licence.

**Article - 11 -**

The Office may not undertake any work that is not licensed in accordance with the provisions of this Law.

**Article - 12 -**

The Office may be moved from the licensed location, after obtaining written approval from the Ministry.

**Article -13-**

The Minister shall issue - after the approval of the Council of Ministers - a decision specifying the fees for issuing and renewing the licence.

**Chapter Three**

**Office Services and Organisation**

**Article - 14 -**

The Office provides the following services:

1- The student will be provided with evidence issued by the educational institutions in which he wishes to study, which include the study system, its conditions - its duration - the prescribed fees - the qualifications granted by those educational institutions, as well as the costs of living.

2- Completing the procedures for registering a student who wishes to study in educational institutions outside the country, paying the educational fees due early before the start of studies, and providing proof of this to the student.

3- Working to provide educational books for students in a timely manner, and providing them with the names of books required for research and study.

4- Working to deliver results to students, whether quarterly, annually, or course results.

5- Ensuring that the documents and certifications requested by the student are obtained and delivered to him.

6- Follow up on the student’s transfer from one branch to another or from one college to another in the educational institution.

By decision of the Minister, the aforementioned services may be amended, whether by addition or deletion.

**Article - 15 -**

1- The Ministry prepares a list of the names of the institutions that are dealt with and are recognised, and the Office may deal with other than these institutions after the written approval of the Ministry.

2- The Office must provide a comprehensive, up-to-date guide for each educational institution it deals with from the institutions referred to in the previous paragraph, explaining its study plans and the programs of its various educational departments, provided that it is within the student’s reach.

**Article - 16 -**

The Office must announce in a clear manner the list of fees and prices it charges for the services it provides and the prices of books, for all educational institutions it deals with.

**Article - 17 -**

The Office must submit to the Ministry a list of the names of students who have registered in educational institutions, and a list of those who have withdrawn from them no later than the end of each academic year, provided that it indicates the student’s name, nationality, and profession - if any - and the name of the educational institution in which he studies, or withdraws from, and the academic year. The subject of study, date of registration, amounts charged to the student, and the receipt number indicating that.

**Article - 18 -**

The Office must maintain the following registers, books, files and cards according to the models specified by the Ministry:

1 - Register of educational institutions accredited by the Ministry with which it deals.

2- A book showing the accounts related to the students to whom he provides his services.

3- A register of the names of the office’s employees and correspondents, indicating the work carried out by each of them.

4- A file for every student who deals with the Office, which includes the student’s registration receipts, a student data form showing his qualifications, a copy of his certificates and academic reports, and an administrative and financial follow-up card for the student showing his financial relationship with the Office, provided that the data of this card is approved by the office manager.

**Article - 19 -**

The Office is prohibited from accepting any grant or gift from any party, except after obtaining written approval from the Ministry.

**Chapter Four**

**Penalties**

**Article - 20 -**

The Office licence shall be cancelled in the following cases:

a - If the licensee loses any of the conditions stipulated in Article (3) of this Law.

b - The death of the licensee and the inability to continue his management in accordance with the conditions stipulated in this Law, or its dissolution or liquidation if it is a legal person.

c - If the licensee stops working in the Office and informs the Ministry of this.

d - If the licensee stops working in the Office for a period of more than one year without an acceptable excuse approved by the Ministry.

e - If the licensee moves the Office from his location to another location after giving him a warning and without the Ministry’s approval.

f - If the Office engages in other business than those stipulated in this Law or deals with unrecognised educational institutions.

g - If the licensee does not complete the guarantee in the event that any amount is deducted from it in accordance with the provisions of this Law.

A decision shall be issued by the Minister to cancel the licence.

**Article - 21 -**

Without prejudice to the provisions of Article (22) of this Law, if the Office violates any of its obligations stipulated in this Law, or provides incorrect information to the Ministry, or by its negligence causes harm to any student, the Minister may warn him by registered letter to remove this violation or harm within ten days from the date of notification of the warning. If the violation continues or is repeated, the Minister may issue a decision to close the office temporarily or permanently.

**Article - 22 -**

Without prejudice to any criminal penalty stipulated in the Penal Code or any other law, the Office’s licence shall be cancelled if the licensee is proven to have committed a financial crime.

The amount of compensation due to the person harmed by the crime is deducted from the guarantee amount.

**Chapter Five**

**General Provisions**

**Article - 23 -**

Offices licensed in accordance with this Law are subject to the supervision of the Ministry, and the administration and the Ministry’s employees who are appointed by a decision of the Minister have the right to inspect these Offices to monitor the implementation of the provisions of this Law and the decisions issued in implementation thereof, and for this purpose they have the right to enter these Offices and review their books, regiters and files.

**Article - 24 -**

The Offices existing when this Law was issued must adjust their conditions in accordance with its provisions within a period not exceeding one year from the date of its implementation, otherwise the Minister will issue a decision to close them.

**Article - 25 -**

Any text that contradicts the provisions of this Law shall be nullified.

**Article - 26 -**

The Minister of Education shall issue the necessary decisions to implement this Law.

**Article - 27 -**

The Ministers - each within his jurisdiction- shall implement the provisions of this Law, and it shall come into force from 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 17 Ramadan 1417 A.H.**

**Corresponding to 26 January 1997**