

AN ENGLISH TRANSLATION OF LEGISLATIVE DECREE NO. 10 OF 1992 WITH RESPECT TO THE COMMERCIAL AGENCY AS AMENDED IN CERTAIN RESPECTS BY LEGISLATIVE DECREE NO. 8 OF 1998 AND LEGISLATIVE DECREE NO. 49 OF 2002.

Note: This English Version is for Reference only. In case of any contradiction between this English and official Arabic version, the Arabic version shall prevail.

WE, Isa Bin Sulman Al Khalifa, Amir of the State of Bahrain,

having examined the Constitution,

and Legislative Decree No. 23 of 1975 with respect to Commercial Agencies and their Organisation, as amended by Legislative Decree No. 10 of 1985,

and Decree No. 1 (Finance) of 1961 with respect to the Establishment of the Register for Commerce, as amended,

and Legislative Decree No. 12 of 1971 promulgating the Civil and Commercial Procedures Act, as amended,

and Legislative Decree No. 7 of 1987 promulgating the Law of Commerce, as amended

and upon the submission of the Minister of Commerce and with the approval of the Council of Ministers,

HEREBY DECREE THE FOLLOWING LAW:

PART ONE

GENERAL PROVISIONS

Article 1: (as amended by Legislative Decree No. 8 of 1998)

For the application of the provisions of this law, a commercial agency means representing a principal in the distribution of goods and products or displaying them for sale or trading purposes in consideration of profit or commission or providing facilities of any kind whatsoever including overland travel, shipping or airline agencies, tourist and travel agents service, insurance, printing, publishing, press, publicity and advertising agencies and firms and any other commercial activities to be specified by an order of the Minister for Commerce.

Article 2

No person shall be allowed to become an agent of a company or organization from which the Government ministries purchase arms and military products in respect of such arms and products.

Article 3

An agency contract shall contain the following details:

- (a) Names of the agent and the principal, and the nationality of each of them.
- (b) Properties, goods and services included in the agency, as well as the rights and obligations of both the agent and the principal and the amount of profit or commission to which the agent is entitled in consideration of his agency.
- (c) The agent's area of operation.
- (d) Agency's term, if it is for a definite period.
- (e) The area of business of both the agent and the principal.

(f) The brand name or trade marks of the goods.

(g) The agent's obligation to provide adequate parts and necessary maintenance to repair vehicles, machinery, engines, equipment or electrical or electronic appliances covered by the commercial agency.

(h) Arbitration clause., if any.*

* (as amended by Legislative Decree No. 8 of 1998)

(i) Any other terms and conditions agreed upon between the agent and the principal provided that they do not conflict with the provisions of this Law.

Article 4

A commercial agent shall carry on his agency's business activities and shall organize his normal commercial activities in an independent manner

Article 5: (Revoked by Legislative Decree No. 8 of 1998)

Article 6:

A commercial agent shall carry on his agency's business activities and shall organize his normal commercial activities in an independent manner.

Article 7: (Deleted by Legislative Decree No. 49 of 2002)

Article 8:

(a) An agency shall be terminated upon the expiry of its fixed term unless the

two parties agree upon the renewal thereof. In case of disagreement, the Directorate of Commerce and Companies Affairs shall be empowered to strike off the agency or register it in the name of another trader who concludes an agreement with the principal.

(b) If either party wishes to terminate the agency contract prior to the expiry of its fixed term, the agency shall not be cancelled or registered in the name of another trader except with the mutual consent of the two parties.

(c) An agent shall, in case of the principal withdrawing a fixed term agency before the expiry of its term, be entitled to claim a compensation from the principal.

(d) Further, an agent shall, in case an agency is terminated due to the expiry of its term and in spite of any agreement to the contrary, have the right to claim a compensation from the principal if his business activities have resulted in an obvious success in promoting the principal's products or increasing the number of his customers but the latter has prevented him from gaining profit from such success owing to principals opposition to renew the agency contract.

Article 9 (as amended by Legislative Decree No. 8 of 1998)

(a) The concerned committee formed pursuant to an order of the Minister for Commerce, shall be empowered to strike off the registration of an agency for an indefinite term upon the mutual agreement of the parties thereto or if one of the parties thereto seeks the termination thereof in spite of the opposition of the other party. An aggrieved party may claim compensation for the damages suffered.

(b) .notwithstanding any agreement to the contrary, the agent shall be entitled to claim against the principal for compensation if his activity results in an apparent success in promoting the principal's products or in increasing the number of his customers but the principal's termination of the agency contract has prevented him from obtaining profit or commission.

Article 10

(a) An agent who is a party to an agency for an indefinite term shall not be allowed to relinquish the agency at an inopportune time or without a justifiable excuse, otherwise he shall be liable to pay a compensation to the principal for the damages arising from relinquishment of the agency.

(b) The provisions of article 9 of this Law shall be applicable to an agency for an indefinite term.

Article 11

(a) "A principal shall reimburse the agent for all the sums which the latter has incurred towards carrying on the agency business, and which shall have been agreed between the two parties, regardless of the agent's degree of success in his task. Should the carrying on the agency's business require the provision by the principal of sums to the agent for payment with respect to the agency's business activities, and as agreed between the two parties, the principal shall be required to provide such sums at the agent's request.

(c) A principal shall discharge the agent from any obligations concluded in his name for carrying on the agency's business.

Article 12 (as amended by Legislative Decree NO. 8 of 1998)

The filing of legal proceeding, reference to arbitration or any such action shall not bar the entry of the goods or properties or the continuation of services covered by the agency into the country in accordance with the provisions of this law. However, the Minister for Commerce may ban the entry of the goods or properties or continuation of the service if required by the public interest.

PART TWO

ORGANISING A COMMERCIALE

AGENCY CONTRACT

Article 13

(a) A commercial agency or any amendment thereof shall be registered in the Commercial Agencies Register maintained for this purpose at the Directorate of Commerce and Companies Affairs, Ministry of Commerce.

(b) Any unregistered agency shall not be recognized nor shall any action be heard in respect thereof.

Article 14

(a) An individual applicant shall, where he is a natural person, comply with the following:

He shall be a Bahraini national

He shall not have been convicted for any felony limiting his freedom for a crime affecting his honour or integrity or for any crime against the economy unless he has been reinstated.

He shall not have been adjudicated bankrupt unless he has been reinstated.

(b) if the applicant is a company, the following conditions shall be fulfilled:

1. It should have been validly incorporated in accordance with the applicable rules and regulations..

2. Its activities shall include carrying on all or some of the business activities stated in article 1 of this law.

3. The percentage of capital owned by Bahrainis shall not be less than 51% and its head office shall be in Bahrain.

(c) The provisions of Law No. 1 (Finance) of 1961 with respect to the establishment of the Register of Commerce, as amended, shall be complied with upon registration.

Article 15 (as amended by Legislative Decree No. 8 of 1998)

For a commercial agency to be valid upon registration, the agent shall be directly related to the principal. However, an agency may be registered between an agent and a company, export firm or any other organization provided that the latter shall be authorized to enter into the agency agreements in respect of the manufactured goods or commodities. The termination of the relationship between the company, export firm or organization which has signed

the agency contract and manufacturing company shall not prejudice the principals obligations towards the agent.

Article 16

Renewal of an agency's registration shall take place within two months after the lapse of two years from the date of registering the agency for the first time or from the most recent renewal thereof.

Article 17

(a) An application for registration or renewal in the Commercial Agencies Register shall be submitted by completing the application form prescribed for this purpose by the Directorate of Commerce and Companies Affairs, Ministry of Commerce.

(b) An application shall be accompanied by supporting documents.

Article 18

(a) The Directorate of Commerce and Companies Affairs, Ministry of Commerce, shall consider the application for registration and renewal within thirty days from the date of its submission .it shall provide the agent, at his request, with a valid certificate confirming the Registration or renewal decision by a registered letter.

(b) The aforesaid Directorate shall be empowered to reject the application for registration or renewal submitted thereto, provide that it shall state the reasons for its rejection, and shall provide the person concerned with a copy of the rejection decision by a registered letter.

(c) Every interested person shall be entitled to appeal against the above decision with the Minister of Commerce within a maximum period of thirty days from the date of publishing the said decision in the Official Gazette or notifying it to the concerned person. The appeal shall be decided upon within thirty days from the date of filing it.

(d) Every interested person shall be entitled to obtain extracts of the Registration journal in the register from the Directorate of Commerce and Companies Affairs.

Article 19

(a) The Directorate of Commerce and Companies Affairs, Ministry of Commerce, shall be empowered to strike off the Registration of an agency if no application for renewal shall be submitted within the legally prescribed time limit or if one of the registration or renewal conditions is not fulfilled or if it is proved that the Registration or renewal has illegally taken place on the basis of untrue information.

Article 20

(a) Every interested person shall be empowered to appeal against any decision adopted in pursuance of the provisions of this law, its implementing regulations or the resolutions issued for enforcing it before the High Civil Court. The time limit for appeal shall be thirty days from the date of notifying him of such decision or from the date of its publication in the Official Gazette.

(b) If the decision is appealable according to the provisions of articles 18 and 19 of this law, an appeal may not be filed before the filing of the complaint and waiting for the expiry of the time limit for reviewing it.

The appeal time limit in this case be thirty days commencing from the date of notifying the concerned person of the rejection of his complaint. The lapse of thirty days from the date of filing the complaint without being replied to by the concerned authority shall be deemed as rejection thereof.

Article 21

(a) Every agency which is registered or its registration in the Register is renewed shall be published in the Official Gazette. Publication shall be applicable to every addition, amendment or striking off the particulars contained in the Register.

(b) Publication shall take place within a maximum period of thirty days from the date of registration, addition, amendment or striking off in the Register.

Article 22

An agent to whom an agency has been transferred shall purchase from the former agent any stock that is covered by the agency if such is in a good condition at the market price or at cost price, whichever is less, to which shall be added 5% of the price determined at cost as a maximum unless there is an agreement to the contrary between the two parties. The new agent and the principal shall be jointly liable for all the undertakings arising from the agency contract which had been given by the former agent to third parties. Such liability shall be to the extent of the price of the goods or the market price of the services if the undertaking applies to a commodity or a service.

Article 23

Agents shall provide the consumers, in all cases, with necessary and adequate spare parts and tools for motor cars, machinery and equipment. Further, they shall give the consumers all warranties that are given by the original manufacturers and suppliers for the goods covered by the agency.

Article 24

(a) An agent or his legal representative and the company manager shall upon the termination of the agency or the expiry of the fixed term thereof file an application with the Directorate of Commerce and Companies affairs, for striking off the agency's registration from the Register within one month from the date of termination or expiry of the said term. Such striking off shall be supported by the relevant documents for this purpose.

(b) if the agent dies and his heirs succeed him or if the company or firm through which the agent carries on his agency business activities is sold or if is merged with another company or firm, the agency shall remain in being and in effect towards the principal if the heirs, buyer or the merged company or firm accept the continuation of the agency. In such a case, the heirs, buyer, merged company or firm shall be fully liable for all the obligations undertaken by the original agent or third parties. This liability towards the buyer, seller and merged company or firm shall include all the obligations set forth in Article 22 of this Law subject to the joint liability stated therein. The buyer and seller shall act jointly with the merged company or firm and the merging company or firm.

c) Subject to the provisions of Article 9 of this Law, an agency shall continue in the previous cases for an indefinite period if the agency contract is for an indefinite duration, otherwise it shall be terminated upon the expiry of the term.

Article 25 (as amended by Legislative Decree No. 8 of 1998).

If the principal company or firm is sold or if it is merged with another company or firm but the purchasing company or firm or the merging company or firm does not accept the continuation of the agency, the agent may claim a compensation against the purchasing company or firm or the merging company or firm or the new agent, if any, for the damages suffered as a result of non-continuation of the agency, provided always that the provisions of Article 22 of this shall be complied with.

PART THREE

PENALTIES

Article 26

Without prejudice to a severer punishment set forth in the penal code or in any other law, every person who violates the provisions of article 23 of this Law shall be punished by a fine of not less than BD 500 and not more than BD 1,000.

In case the convicted party commits the same violation within 3 years from the date of the judgement, he shall be subject to the same punishment in addition to the possible passing of a judgement for closure of the premises or that part thereof designated by the offender for carrying on the agency's business activities.

Article 27

A penalty of a fine not exceeding BD 500 shall be inflicted upon:

First: Any person who willfully furnishes the Directorate of Commerce and Companies Affairs, Ministry of Commerce, with false information whether with respect to the particulars for registration or renewal or for making entries in the Commercial Agencies register or fails to notify this Directorate of any amendment with respect to the agency's particulars.

Second : Any person who states on the correspondence or printed matter pertaining to his business activities or has published by any means of publication that he is an agent of a company or firm without having his name registered in the Commercial Agencies Register.

Third : Every agent who carries on business after the forfeiture of one of the conditions provided for in Article 14 of this Law while being aware of this fact.

Article 28

If any of the offences indicated in the preceding two Articles is committed by a company, a penalty shall be inflicted upon the joint partner, responsible Manager or Board Chairman, as the case may be, according to the penalties laid down in this Law.

Article 29

The officials of the Directorate of Commerce and Companies Affairs nominated by the Minister of Commerce shall have the power to enter premises, stores and offices for proving the commission of offences in violation of the provisions of this Law and for reference thereof to the Public Prosecution. Further, they shall be empowered to have access to books, documents and papers with the approval of the Minister of Commerce.



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PART FOUR

FINAL PROVISIONS

Article 30

If a dispute arising from an agency contract is referred to arbitration, the Arbitration award shall be final.

Article 31

The Minister of Commerce shall be empowered to issue the necessary regulations and orders for the implementation of the provisions of this Law, particularly with respect to the following:

1. Organising the activities of the Directorate of Commerce and Companies Affairs with respect to commercial agencies and regulating the rules pertaining to the Register provided for in article 13 of this law, the manner of maintaining the said Register and organizing the issue of certificates in respect of the details contained therein.
2. Determining what shall be published in the Official Gazette in pursuance of the provisions of Article 20 of this law.
3. Determining the fees relating to applications for registration, renewal and issue of certificates after obtaining the approval of the Council of Ministers.
4. (Revoked by Legislative Decree No. 8 of 1998)

Article 32

Legislative Decree No.23 of 1975 with respect to Commercial Agencies and their organization shall be revoked and any provision which conflicts with the provisions of this Law shall be repealed.

Article 33

The Minister of Commerce shall implement this law which shall come into force as from the beginning of the month following three month after the date of its publication in the Official Gazette.

Signed: Isa Bin Sulman Al Khalifa

Amir of the State of Bahrain

Dated: 14 July, 1992

MINISTERIAL ORDER NO. 2 OF 1993

CONCERNING THE IMPLEMENTING REGULATION OF
DECREE NO. 10 OF 1992 WITH RESPECT TO THE
COMMERCIAL AGENCY

The Minister of Commerce and Agriculture,

having examined article 31 of Legislative Decree No. 10 of 1992 with respect
to the Commercial Agency,

and upon the submission of the Undersecretary for the Ministry of Commerce and
Agriculture,

HEREBY ORDERS THE FOLLOWING :

Article 1

The Directorate of Commerce and Companies Affairs, the Commercial Agencies Section shall maintain a Register to enter all application for registration in the Commercial Agencies Register in serial number according to the date of receipt and the applicant shall be given a receipt containing the following details :

- (a) Application number and date of filing it.
- (b) Applicants name, surname, address, nationality and his position when submitting the application.
- (c) principals name, address, nationality and a declaration if the principal is a proprietorship or a company.
- (d) signature of the authorized officer for receiving the applications.

Article 2

An application for registration shall be presented using the application form which is attached to these Regulations.

If an applicant wishes to register his name as agent for more than one establishment or company, he shall submit a separate application in the name of each establishment or company.

Article 3

Each of the applications for registration shall be accompanied by the documents supporting accuracy of the particulars contained and particularly the following :

A copy of the agency agreement stamped by the Chamber of Commerce and Industry of the principal's country or any relevant authority in his country and the Bahrain Chamber of Commerce and Industry official seal.

An official certificate from the Commercial Register stating that the agent's name has been registered or the registration in this Register has been renewed for the same year during which the application for an agency registration has been submitted, provided that the agent's business activity as stated in the Register for Commerce is identical or similar to the agency subject.

An official certificate from the Israel Boycott Office stating that the principal firm or company is not included in the lists of boycotted firms or companies due to their violations of the provisions of Law no. 5 of 1963 governing the Israel Boycott Office.

An official certificate from the Trade Marks Register containing details of the trade mark or marks of the goods or services subject to the agency.

An evidence of the agents membership of the Bahrain Chamber of Commerce and Industry.

Registration fees payment receipt.

Any other document required by the Directorate of Commerce and Companies Affairs Commercial Agencies Section as shall be deemed necessary for registering the agency.

Article 4

A file shall be maintained for each commercial agency in which shall be kept the documents relating to the application for registration and its enclosures, requests for addition, amendment, renewal or striking off any other papers relating to the agency.

Article 5

The Directorate of Commerce and Companies Affairs Commercial Agencies Section shall examine the application and notify the concerned parties of its decision by either rejecting or accepting it by a registered letter within thirty days from the date of submitting the application . if the Directorate rejects the application , it shall give a notice by registered mail to the concerned party of the reasons for such decision and indicating his right to appeal against the decision before the Minister of Commerce and Agriculture within a period of no more then thirty days from the date of notification .

Article 6

There shall be maintained at the Directorate of Commerce and Companies Affairs Commercial Agencies Section a special Register in which shall be recorded the applications for registration which have been accepted.

A page or more shall be allocated for each commercial agency being accepted, for recording the following details:

Registration number of the application in the book maintained to register the applications

Agents name, surname, nationality, address, business location and commercial name, if any .

Principal company or firm's name, address and nationality .

Percentage of profit or commission the agent is entitled to receive.

Duration of agency if it is for a definite term and if it is for an indefinite term, it shall be recorded in the Register.

Evidence of the agent's obligation to maintain sufficient spare parts for the goods subject to the agency and also all the other services required by the agency.

Arbitration clause provision, if any.

Any other details, the Directorate of Commerce and Companies Affairs Commercial Agencies Section feels necessary to be entered in the Register.

The concerned party shall be given a copy of the commercial agency registration application and a certificate proving the completion of agency registration in the Register and the registration number after completing the procedures.

Article 7

The application for renewing the agency registration shall be filed within two months from the lapse of two years of registering the agency for the first time or the last renewal.

If the agency is for a definite term which is less than two years, an application shall be filed for renewing the registration within two months from the expiry date indicated in the agency agreement or the last renewal thereof .

The registration renewal application shall be submitted using the form a copy of which is attached to these Regulations.

The concerned party shall submit evidence of the agency continuation, and in case of definite term agencies, the agent shall attach to the renewal application a certificate from the principal stating his approval to renew the agency .

Renewal fees receipt shall be attached to the renewal application..

Article 8

The provisions of article 5 of this order shall be applied to the applications for the registration renewal, with respect to the need for a notification to be given by the Directorate of Commerce and Companies Affairs- Commercial Agencies Section to the concerned parties concerning the decision of either accepting or rejecting the application for renewing the registration, the date of the notification and its method, and the requirement to indicate the reasons for rejecting the registration renewal and the concerned parties' right to appeal against the rejection of the renewal before the Minister of Commerce and Agriculture within a period not exceeding thirty days from the date of notification.

Article 9

Applications for addition, amendment, cancellation, upon the agents or his heirs, request shall be subject to the procedures followed with respect to the registration application and be submitted using the application form a copy of which is attached to these Regulations .

Article 10

1. the Directorate of Commerce and Companies Affairs Commercial Agencies Section, may cancel the agency registration if an application for its renewal has not been submitted within the prescribed time limit or if any of the registration or renewal conditions have not been fulfilled or if it is proved that the registration or renewal has been effected without any legal ground or upon the basis of false statements .

2. The above Directorate shall notify the concerned party by a registered letter of the decision for the cancellation, the reasons for such decision and his right to appeal against this decision before the Minister of Commerce and Agriculture within thirty days from the date of notification .

3. The cancellation shall be effected by making cross lines in red ink and an indication shall be made in the Register margin as to the cancellation date and reason thereof .

Article 11

1. There shall be published in the Official Gazette the following details regarding what has been registered in the Commercial Agencies Register :

Registration number and date .

Principals name, nationality and address .

A list of the goods and services, subject to the agency .

Commercial name and trade marks of the goods and services, subject to the agency, if any .

The duration of the agency, if it is for a definite term, and to state if it is for an indefinite term .

2. There shall be published any addition, amendment or cancellation in the details recorded in the Register in the Register in the Official Gazette as

provided for in the preceding paragraph .

3. To publish the provisions and resolutions being entered in the Register .

4. Publications in the cases mentioned in paragraphs two and three shall contain the following details :

Agency Registration Number.

Principal's name, nationality and address.

Agent's name and address.

Subject of the addition, amendment, the reason for cancellation and date of occurrence.

The content of the verdict or decision, date , the court or arbitration board which handed down the award and the date of entering it in the Register .

Article 12

It shall not be permitted to register any agency which deals in arms and military products .

Article 13

The Undersecretary at the Ministry of Commerce and Agriculture shall implement this order which shall come into force from the date of its publication in the Official Gazette .

Signed : Habib Ahmed Qassim
Minister of Commerce and Agriculture

Dated : 4 January, 1993 .

STATE OF BAHRAIN
MINISTRY OF COMMERCE AND AGRICULTURE
DIRECTORATE OF COMMERCE AND COMPANIES AFFAIRS
COMMERCIAL AGENCIES SECTION

Agency Registration No :

Date :

APPLICATION FOR REGISTERING AN AGENCY

Chief of Commercial Agencies

Dear Sir,

Kindly register the following agency in the Commercial Agencies Register.

1. Principal's name : individual-company

(a) Nationality :

(b) Present address :

2. Agent's name :

individual-company Bahrain/foreign

(a) Nationality :

(b) Address :

3. Details of the goods, properties and services for which the agency was granted :

4. The commercial name of the goods or commodities:

Agent's signature

The documents on the basis of which the agency is registered :

1. Agency contract : if it fulfills the legal conditions yes/no

Notarisation no. : Notarising authority :

Date of notarization : Duration of the agency :

2. A certificate from Israel Boycott Office stating that the principal is not on the

black list and has not been given a warning.

3. The agent is registered in the Commercial Registry under no.

to undertake ,, and shall be a member of the Bahrain Chamber of Commerce and Industry.

4. Fees Receipt No. Date :

5. Other documents :

The application has been registered
,,, dated,,,,,,,,,,,,,,,,,,,,,

and this copy was returned to the agent as a proof of this fact.

Chief of Commercial Agencies

STATE OF BAHRAIN

MINISTRY OF COMMERCE AND AGRICULTURE

DIRECTORATE OF COMMERCE AND COMPANIES AFFAIRS

COMMERCIAL AGENCIES SECTION

AGENCY REGISTRATION RENEWAL

Chief of Commercial Agencies

Dear sir,

Kindly renew the agency registration according to the following :

1. Principal's name.....

(a) Nationality.....

(b) Present address.....

2. Agents name.....

(a) Nationality:

(b) Present address.....

3. Details of the goods, properties and services for which the agency was granted

4. Registration number in the commercial registry :

5. Agency Registration expiry date : / /.....

Agent's signature

The above agency registration was renewed on

No. : ,,

Chief of Commercial Agencies

STATE OF BAHRAIN

MINISTRY OF COMMERCE AND AGRICULTURE

Article 1

The following fees shall be charged for the following applications :

1. Application for registration of each commercial agency BD 20.000
2. Application for the renewal of registration of a commercial agency for every two years BD 20.000
3. Application for addition, amendment or striking off of details recorded in the Register. BD 5.000
4. Application for an official certificate for a statement recorded in the register or for a true copy of the Commercial Agency Contract . BD 2.000
5. Application for an inquiry about any statement relating to a commercial agency . BD 2.000
6. Application for obtaining a copy of the Legislative Decree with respect to the Commercial Agency and the Implementing Regulations. BD 2.000
7. Application for the issue of a Certificate to the customs for clearing goods. BD 2.000

Article 2

The Undersecretary of the Ministry of Commerce and Agriculture shall implement this Order which shall come into force from the date of its publication in the Official Gazette .

Signed : Habib Ahmed Qassim

Minister of Commerce and Agriculture

Date : 3 February, 1993

MINISTERIAL ORDER NO. 4 OF 1993

WITH RESPECT TO SPARE PARTS IMPORTS

The Minister of Commerce and Agriculture,

having examined Articles 7 & 31 of Legislative Decree No. 10 of 1992 with respect to the Commercial Agency

and upon the submission of the Undersecretary of Ministry of Commerce and Agriculture,

HEREBY ORDERS :

Article 1) No longer applicable in view of Legislative Decree No. 49
Article 2) of 2002 with respect to amending certain provisions of

Article 3) Legislative Decree No. 10 of 1992 as amended in certain respects by
Legislative Decree No. 8 of 1998..

Article 4

Without prejudice to penalties set forth in Legislative Decree No . 10 of 1992 with respect to Trade Marks, it shall be prohibited to import non-genuine spare parts which are manufactured as imitations of the original parts and bearing imitated trade marks of the original trade marks .

Article 5

The undersecretary at the Ministry of Commerce and Agriculture shall implement this order which shall come into force from the date of its publication in the Official Gazette .

Signed : Habib Ahmed Qassim

Minister of Commerce and Agriculture

Date : 3 February , 1993 .

MINISTERIAL ORDER NO. 7 OF 1993

WITH RESPECT TO THE FORMATION AND PROCEDURES OF

THE ARBITRATION COMMITTEE PROVIDED FOR IN

LEGISLATIVE DECREE NO. 10 OF 1992 WITH RESPECT YO

THE COMMERCIAL AGENCY

(REVOKED BY MINISTERIAL ORDER NO. 4 OF 1998 WITH RESPECT TO THE FORMATION OF THE COMMERCIAL AGENCY COMMITTEE)

MINISTERIAL ORDER

MINISTRY OF COMMERCE AND AGRICULTURE

MINISTERIAL ORDER NO. 9 OF 1993 WITH RESPECT TO

THE FROMATION OF A COMMITTEE TO REVIEW

APPLICATIONS RELATED TO THE COMMERCIAL AGENCIES

(REVOKED BY MINISTERIAL ORDER NO. 4 OF 1998 WITH RESPECT TO THE FORMATION OF THE COMMERCIAL AGENCY COMMITTEE)



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MINISTERIAL ORDER

MINISTRY OF COMMERCE AND AGRICULTURE

MINISTERIAL ORDER NO.14 OF 1993 WITH RESPECT TO ORGANISING THE IMPORT OF REBUILT ITEMS FOR TRADING PURPOSES

The Minister of Commerce and Agriculture,

having examined Legislative Decree No. 10 of 1992 with respect to the Commercial Agency,

and upon the submission of the Undersecretary of the Ministry of Commerce and Agriculture,

HEREBY ORDERS :

Article 1

Rebuilt items shall mean second hand machinery, motor vehicles, equipment and appliances which are intended to be in a condition that is fit for use.

Article 2

It shall be permitted to import second hand machinery, motor vehicles, equipment and appliances being rebuilt for the purpose of trading without paying a commission to the local agent and the importer shall furnish the supporting documents.

Article 3

Second hand machinery, motor vehicles, equipment and appliances stipulated in Article (1) of this order shall be subjected upon the import thereof to the specification applicable in the state of Bahrain to similar new goods.

Article 4

Any person who sells such motor vehicles, machinery, equipment and appliances shall clearly undertake to announce their condition as being rebuilt in accordance with the provisions of this Order.

Article 5

The Undersecretary of the Ministry of Commerce and Agriculture shall implement this Order which shall come into force from the date of its publication in the Official Gazette.

Signed : Habib Ahmed Qassim,

Minister of Commerce and Agriculture

Dated : 15 June, 1993

MINISTERIAL ORDER

MINISTRY OF COMMERCE AND AGRICULTURE

MINISTERIAL ORDER NO. 15 OF 1993 WITH RESPECT TO
ORGANISING THE IMPORT OF CERTAIN USED
ITEMS FOR TRADING

The Minister for Commerce and Agriculture,

having examined Legislative Decree No. 10 of 1992 with respect to the
Commercial Agency,

and upon the submission of the Undersecretary of the Ministry of Commerce and
Agriculture,

HEREBY ORDERS :

Article 1

It shall be permitted to import used motor vehicles, machinery ,equipment and
appliances without having to pay commission to the local agent.

Article 2

Motor vehicles, machinery , equipment ,and appliances shall be considered as
used if one year has passed since the date of their manufacture and the
importer shall furnish the supporting documents.

Article 3

Used motor vehicles, machinery, equipment and appliances shall be subject to the specifications applicable in the State of Bahrain on similar new items.

Article 4

Any person who sells the motor vehicles, machinery, equipment and appliances referred to in the preceding Article shall clearly undertake to announce the date of their manufacture.

Article 5

The Undersecretary of the Ministry of Commerce and Agriculture shall implement this Order which shall come into force from the date of its publication in the Official Gazette.

Signed : Habib Ahmed Qassim,

Minister of Commerce and Agriculture

Date : 15 June, 1993.

MINISTRY OF COMMERCE

MINISTERIAL ORDER NO. 3 OF 1998 WITH RESPECT TO AGENT'S COMMISSION FOR GOODS AND COMMODITIES IMPORTED BY THIRD PARTIES FOR THE PURPOSE OF TRADING BUT NOT HAVING ORIGINATED FROM THE PRINCIPAL:

(This Ministerial Order is no longer applicable in view of Legislative Decree No. 49 of 2002 which deleted deletion of Article No. 7 of the Legislative Decree No. 10 of 1992 with respect to the Commercial Agency as amended by

Legislative Decree No. 8 of 1998.)

MINISTRY OF COMMERCE

MINISTERIAL ORDER NO. 4 OF 1998 WITH RESPECT TO THE FORMATION OF THE
COMMERCIAL AGENCY COMMITTEE.

The Minister of Commerce,

having examined Legislative Decree No. 10 of 1992 with respect to the
Commercial Agency as amended by Legislative Decree No. 8 of 1998

and Ministerial Order No. 7 of 1993 with respect to Formation and Procedures
of the Arbitration Committee provided for in Legislative Decree No. 10 of 1992
with respect to the Commercial Agency,

and Ministerial Order No. 9 of 1993 with respect to the Formation of a
Committee to Review Applications related to the Commercial Agency;

and upon the submission of the Undersecretary of the Ministry of Commerce,

HEREBY ORDERS:

Article 1:

There shall be formed a Committee under the name of "The Commercial Agency Committee" at the Ministry of Commerce with the membership of the following:

Mr. Mohammed Baqer Al Tajer

Asst. Undersecretary of Commerce and Company Affairs Chairman

Mr. Mohammed Dharar Al Sha'er

Acting Director of Agencies and Industrial Property Member

Mr. Yunus Mohammed Al Harmie Member

Head of Commercial Registration Procedures.

Mr. Mansour Abdul Nabi Al Fardan Member

Head of Commercial Agency Section

Mr. Abdul Rahim Mahmoud Al Saeedi Member

Research and Development Section

The Committee may select from amongst its members the Committee's Secretary.

Article 2:

The Committee shall be empowered to terminate an agency contract for indefinite duration upon mutual agreement of its parties or upon request to terminate it from either party in spite of the other's opposition. The Committee shall also be empowered to deal with other matters referred to it by the Ministry of Commerce concerning the Commercial Agency.

Article 3:

The party concerned may appeal to the Minister for Commerce within fifteen days from the date of notification with the committee's resolution by a registered letter to terminate the agency. The Minister may decide over the appeal within thirty days from the date of submission and the lapse of such period without replying to the appeal is an indication of its rejection.

Article 4:

Order of the Minister for Commerce and Agriculture No. 7 of 1993 with respect to the Formation and Procedures of the Arbitration Committee provided for in Legislative Decree No. 10 of 1992 with respect to the Commercial Agency shall be revoked.

Ministerial Order No. 9 of 1993 with respect to the Formation of a Committee to Review Applications related to the Commercial Agencies shall be revoked.

Article 5:

The Undersecretary of the Ministry of Commerce shall implement this Order which shall come into effect from the date of its publication in the Official Gazette.

Signed: Ali Saleh Al Saleh

Minister for Commerce.

Issued on : 5th Rabie Awwal, 1419 Hijra,

Corresponding to: 29th June 1998.

(NOTE: The constitution of the above committee has since changed with a new Chairman and new members)