

WORLD TRADE ORGANIZATION

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**Council for Trade-Related Aspects of
Intellectual Property Rights**

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NOTIFICATION OF LAWS AND REGULATIONS UNDER ARTICLE 63.2 OF THE AGREEMENT

BAHRAIN

Addendum

In addition to earlier notifications under Article 63.2 of the Agreement, Bahrain has notified its "Other Laws and Regulations", by means of a communication from its Delegation dated 15 June 2001, as follows:

- Constitution of the State of Bahrain;
- Bahrain Penal Code;
- Cassation Court Law;
- The Law of Evidence;
- The Law of Commerce;
- Bahrain Civil Code;
- Bahrain Civil & Commercial Procedures Act;
- The Code of Criminal Procedure.

The "other laws and regulations" with a brief description, are listed in the Annex to this document.

ANNEX

OTHER LAWS AND REGULATIONS

<p>TITLE DATE OF ADOPTION AND ENTRY INTO FORCE</p>	<p>BRIEF DESCRIPTION</p>
<p><u>Constitution (1973).</u></p> <p>Civil judicial procedures</p> <p><u>Civil & Commercial Procedural Law No. 12 of 1971 and subsequent amendments.</u></p> <p><u>Law of the Court of Cassation (Legislative Decree No. 8 of 1989.</u></p> <p><u>Evidence Law (Legislative Decree No. 14 of 1996).</u></p> <p>Criminal procedure and penalties</p> <p><u>The Penal Code (Legislative Decree No. 16 of 1976).</u></p>	<p>The most relevant provisions in the Constitution are those on rights and duties, separation of powers, executive and judicial powers. Also relevant is Article 37, which provides that a treaty has the force of a law upon it being ratified and published in the Official Gazette.</p> <p>This law (and its subsequent amendments) deals mainly with litigation procedure in civil and commercial lawsuits. It defines the rules and procedure of summary matters, jurisdiction and judicial competence of the various courts, and notification procedures. It also specifies the format of the statements of claim, response, counter arguments and trial procedure. The Law also sets out the procedure for issuing court judgements, content of the judgement and rules on the award of expenses and legal fees.</p> <p>This law defines the jurisdiction and procedure of the Court of Cassation, which is the highest court of law in Bahrain.</p> <p>This law provides, <i>inter alia</i>, for procedures to be followed, jurisdiction of the court to order production of evidence and questioning of witnesses.</p> <p>This law provides, <i>inter alia</i>, for procedures, rules for police searches, summons, confiscation of items resulting from a crime. Also, it provides for the basis for criminal liability.</p>

TITLE DATE OF ADOPTION AND ENTRY INTO FORCE	BRIEF DESCRIPTION
<p><u>The Criminal Procedural Law of 1966 and subsequent amendments.</u></p> <p>Substantive legislation</p> <p><u>Civil Code (Legislative Decree No. 19 of 2000).</u></p> <p><u>The Law of Commerce (Legislative Decree No. 7 of 1987).</u></p>	<p>The relevant provisions of this law are those which describe the criminal courts structure, jurisdiction of the various courts, classification of the types of offences and evidence rules. The law also stipulates the rules on attendance and representation of the accused at the court.</p> <p>The Civil Code provides, <i>inter alia</i>, for the award of damages including causation and vicarious liability.</p> <p>The relevant provisions of this law are Articles 59 to 64, which deal with unfair competition.</p>
