

**Law No. (34) of 2005**  
**Establishing Alimony Fund**

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

Having reviewed the Constitution,  
and the Civil and Commercial Procedures Law promulgated by Legislative Decree No. (12) of 1971, as amended,  
The Shura Council and the Council of Representatives have approved the following law, which we have ratified and enacted:

**Article (1)**

In the application of the provisions of this Law, the following words shall have the meanings assigned to them below, unless the context requires otherwise:

**Minister:** Minister of Justice.

**The Fund:** The Alimony Fund.

**Beneficiaries:** The wife, divorced woman, parents, children, or all those who are entitled to receive alimony, or whomever legally represents them.

**Article (2)**

According to this Law, a fund called the “Alimony Fund” shall be established under the Minister of Justice, and it shall have a public legal personality and a separate budget.

**Article (3)**

The Fund management is assumed by a board of directors consisting of governmental and private sectors, its formation and working system is issued by a decision of the Minister. The chairman of the board of directors represents the Fund before the judiciary and others. The board of directors shall establish an internal regulation which shall be issued by a decision passed by the Minister of Justice involving the cases which it

is obliged to disburse and the basis and standards for estimation of such alimony and its collection from the persons committed to pay it.

#### **Article (4)<sup>1</sup>**

The beneficiaries issued with judgements entitling them to alimony may submit to the Fund a request for obtaining the alimony amount they are entitled to based upon these judgements, provided that the request is accompanied by the judgement issued for the alimony and what proves its declaration thereof according to the provision of the Civil and Commercial Procedures Law and a certificate of non-compliance by the debtor.

The Fund undertakes the disbursement of the alimony amounts to those who are entitled to it within a period not exceeding fifteen days from the date of the request, fulfilling the legal requirements, and the alimony continues to be disbursed on a monthly basis unless the judgment is modified or revoked.

Beneficiaries are obliged to update their data with the Fund annually.

#### **Article (5)**

Without prejudice to the provisions of Article (4) of this Law, it is permissible to disburse a temporary alimony in cases of necessity estimated by the Fund on a case by case basis, and before the issuance of a judgement entitling the alimony amount, upon the request of any of the Beneficiaries provided that the Fund recovers it from the amounts due to them under the alimony judgement.

#### **Article (6)**

The Fund shall replace the Beneficiary with his rights over the convicted person within the limits of what he paid, in addition to all the actual expenses incurred by him due to the convict's failure to pay the alimony, and the Fund shall have the necessary rights to claim these amounts.

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<sup>1</sup> As amended by Law No. (33) of 2009 amending certain provisions of Law No. (34) of 2005 Establishing Alimony Fund.

### **Article (7)**

The Beneficiary's right to immediately disburse the alimony from the Fund shall be forfeit if the reason for its legal or Sharia'a-based entitlement has ceased.

The Beneficiary shall inform the Fund of any change in their social or legal status that affects their eligibility for alimony within ten days of the date of the change.

### **Article (8)**

In the case of conflict between alimony debts the priority shall be for the alimony debt entitled by the wife or divorced woman followed by alimony entitled by the children followed by alimony entitled by the parents then expenses and other debts.

### **Article (9)<sup>2</sup>**

The Fund's resources consist of the following:

- 1- The amounts allocated to the Fund in the general budget.
- 2- The amounts of alimony collected from the convicts
- 3- Gifts, grants, and wills that the Fund's board of directors decides to accept, unless they are from a foreign entity and in which case, they may not be accepted without the prior approval of the Minister.
- 4- Return on investment of the Fund's monies.

The government is obligated to support the Fund financially to ensure that it continues to perform its tasks which are stipulated for in this Law.

### **Article (10)**

The cash monies of the Fund shall be deposited in a special account in the name of the Fund in a national Islamic bank determined by the Minister.

### **Article (11)**

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<sup>2</sup> As amended by Law No. (33) of 2009 amending certain provisions of Law No. (34) of 2005 Establishing Alimony Fund.

All transactions and litigations related to the Fund are exempt from fees of all kind.

#### **Article (12)**

Without prejudice to any more severe punishment stipulated for in the Penal Code or any other law, a penalty of imprisonment for a period not exceeding one month shall be imposed on anyone who obtains any amounts from the Fund in implementation of a judgement or an order issued according to the provisions stipulated for in this Law based on fictitious or artificial procedures or evidence, or to a condition that has been proven to have disappeared or changed with them having knowledge of such.

In the event of a conviction, the court shall order the refund of the aforementioned amounts.

#### **Article (13)**

Civil Service Regulations shall apply to employees of the Fund, and the provisions of Law No. (13) of 1975 with respect to The Regulation of Government Employees' Pensions and Bonuses as amended, and the decisions issued in implementation thereof.

#### **Article (14)**

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

#### **Article (15)**

The ministers – each within his jurisdiction– shall implement this Law, and it shall come into force from the beginning of the month following the lapse of six months from the date of its publication in the Official Gazette.

**King of the Kingdom of Bahrain**

**Hamad bin Isa Al Khalifa**

Issued in Riffa Palace:

Date: 12 Rajab 1426 AH

Corresponding to 17 August 2005