



Resolution No 4 of 2011 by the Minister of Social Affairs Regulating Fundraising and Foreign Transfers by Private Associations and Foundations 4 / 2011

Number of Articles: 23

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The Minister of Social Affairs;

Having reviewed [Law No. 12 of 2004](#) on private associations and foundations, as amended;

[The Law on combating money laundering and financing of terrorism](#) issued by Law No. 4 of 2010;

[The Emiri Decree No. 29 of 1996](#) on the decisions of the Council of Ministers, which are being submitted to the Emir for ratification;

[The Emiri Decree No. 40 of 2009](#) on the organizational structure of the Ministry of Social Affairs;

And upon the adoption by the Council of Ministers at its regular meeting No. 33 of 2010, on 24/11/2010 of the draft resolution;

Hereby resolves as follows

[Chapter One: Definitions](#)

Article 1

In implementing the provisions of this Resolution, the following words and expressions shall have the meanings assigned thereto, unless the context requires otherwise:

“Department” means the Department of Private Societies and Institutions.

“associations and foundations” means any private association and foundation registered and declared in accordance with the provisions of [Law No. 12 of 2004](#) and permitted to collect donations as provided herein.

“Permit” means a written approval issued by the Minister of Social Affairs to any one of the private associations and foundations to collect donations and financial transfers.

“Donations” means the collecting of monetary or in-kind funds by a society or institution, without consideration, to be expended for charity and public utility purposes or to provide humanitarian services.

“Transfers” means banking processes related to the movement of donated funds within the state.

“Foreign transfers” means banking processes related to the movement of donated funds from and out of the state.

“Beneficiaries” means any legal entity approved to receive permitted donations or transfers for charity purposes.

Chapter Two: Fundraising

Article 2

Associations and foundations may not engage in collecting donations without first obtaining a permit as provided in the aforesaid [Law No. 12 of 2004](#). Such permit shall contain the following information:

Name of licensed associations and foundations.

1. Purpose of donations
2. Duration of permit.
3. Method of collection.
4. Specified locations for collection.
5. Name of authorized collectors, their respective identity numbers, positions and domiciles.

Article 3

The association and foundation may, if necessary, apply for an extension to the period for which the permit is granted.

Article 4

The association and foundation shall have an active current account in its own name at one of the local banks.

Article 5

The association and foundation requesting a permit to collect donations through bank deposit, transfer or checks shall present its request to the department for consideration. Moreover, foreign transfers shall not be deposited into the account of the association and foundation but shall be held by the bank pending approval of the permit request by the department.

Article 6

The association and foundation shall keep donations in boxes at specified locations in accordance with the permit, provided that the box shall be tightly locked glass with one small opening to allow for the insertion of donated coins.

Each box shall clearly indicate its serial number, the name of the society or institution, and the stamp of the department reflecting the period for which the permit has been granted. The lable containing the information shall be conspicuously displayed.

Article 7

A committee comprising at least three members, including the cashier, shall be constituted for each society or institution. Such committee shall, after receiving approval from the department, undertake the opening of boxes at the premises of the association and foundation upon notification to the department of the date and hour thereof.

The committee shall submit a report to the department on the amount of donations contained in each box and shall deposit such amount in the respective account of the association and foundation against an official receipt, provided that such deposit shall occur not later than one day following the opening of the boxes.

Article 8

The association and foundation shall, immediately upon expiration of the permit, submit to the department a detailed report approved by an accredited accountant indicating the amount and details of donations, along with the method and aspects of disposal thereof. Supporting documents shall be enclosed with such report.

Article 9

The association and foundation shall not utilize such funds for any purpose other than that permitted by the department.

Article 10

The association and foundation shall furnish the department with regular quarterly statements of all foreign donations received during the period.

Article 11

Each association and foundation shall hold records and documents for registering all internal or external procedures and shall maintain such records and documents for a period of at least five years, *mutatis mutandis*, from the date on which such records cease to be used or the date on which their account is closed.

Such associations and foundations shall regularly update the information contained in such records and documents and shall make them available to the Department or other competent authorities in accordance with the provisions of the aforesaid [Law No. 4 of 2010](#), as well as to judicial authorities or investigators, if requested.

Chapter Three: Foreign transfers

Article 12

The association and foundation may not conduct any foreign transfer for any purpose without first obtaining a permit.

Article 13

The management of the project to be financed shall apply to the association and foundation for assistance in covering the costs of the project. Such application shall specify the purpose and execution schedule of the project and shall be signed by the authorized manager.

Article 14

A permit for foreign transfers shall be granted under the following conditions:

1. The application shall be submitted by a association and foundation engaged in charitable and public utility causes.
2. The purpose of the transfer shall be to finance a project for the beneficiary party engaged in charitable or public utility causes or providing humanitarian services, provided that actual need is established.
3. The application shall specify the amount required to be transferred, the name of the beneficiary, and the expected phases of execution. Supporting documents, properly attested by the Qatari embassy or any substitute in the country of the beneficiary, shall be enclosed with the application.
4. The association and foundation shall submit the approval of the competent Qatari authorities for financing such project.
5. The association and foundation shall conduct regular field visits to the project in order to ensure its existence and to control and monitor the execution phases and development thereof. The association and foundation shall provide the department with a report on the findings of such visits.

Article 15

The beneficiary shall:

1. Be a legal entity operating within the laws of the state wherein the project is being executed.
2. Be engaged in charitable and public utility causes for the purpose of executing the project.
3. Operate a bank account in the country hosting such project.

Article 16

Approval of an application for a foreign transfer permit shall be issued upon satisfaction of the conditions provided herein. The application shall indicate the name of the society or institution, the amount to be transferred, the beneficiary, and the bank account into which the funds for the project are to be transferred.

Article 17

The association and foundation shall make the foreign transfers within two weeks from the date of obtaining the permit; otherwise the permit shall be null and void.

Article 18

The association and foundation shall submit to the department regular quarterly statements on all foreign transfers conducted within the period, provided that such report shall indicate the completion stages of financed projects.

Article 19

The association and foundation shall inform the Department, without notice to any individual or entity, of any donations and financial transactions suspected of comprising money laundering or the financing of terrorism in violation of the aforesaid [Law No. 4 of 2010](#). The association and foundation shall establish and maintain systems capable of providing data related to the identification and legal status of customers and actual beneficiaries.

Chapter Four: General Provisions

Article 20

Without prejudice to the provisions of any legally designated liability, the permit shall be deemed rescinded where the association and foundation violates any of provisions herein. The minister may cancel such permit based on the requirements of the public interest.

Article 21

The department shall establish the forms provided herein.

Article 22

All provisions violating the provisions herein shall hereby be rescinded.

Article 23

All competent authorities, each in their respective jurisdiction, shall enforce this resolution from the date of its publication in the *Official Gazette*.

Minister of Social Affairs
Nasser ben Abdallah Al Hamidi

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