

Law No. 7 of 2007 on the Settlement of Administrative Disputes 7 / 2007

Number of Articles: 14



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Articles (1-14)

We, Hamad Bin Khalifa Al-Thani, Emir of the State of Qatar;
Having perused the Constitution;
The Civil and Commercial Procedure Law promulgated by Law No. 13 of 1990 as amended;
The Judicial Authority Law promulgated by Law No. 10 of 2003;
Having taken the opinion of the Supreme Judiciary Council;
The draft law submitted by the Council of Ministers; and
Having consulted the *Shura* Council;
Hereby promulgate the following law:

Articles

Article 1

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

“Administrative bodies” means the ministries and other government organs, public authorities and corporations.

“Employees” means those serving in administrative bodies.

“The decisions of the disciplinary boards” means the final decisions of the disciplinary boards established in accordance with the provisions of the law.

“Disciplinary decisions” means the final decisions issued by the executives, for which the law does not provide mechanisms of appeal before the disciplinary boards.

“Decisions of the administrative bodies with judicial powers” means decisions issued by the bodies or committees established with a separate administrative and judicial power to settle disputes referred thereto by law.

“Final administrative decisions” means administrative decisions issued by an administrative body empowered by law to decide on a case without the need for ratification, decisions of certification and accreditation by a higher authority.

Article 2

The Court of First Instance shall establish one or more administrative circuits, each consisting of three judges, to consider exclusively the administrative disputes specified in this Law.

Article 3 (Amended By Law 12/2013)★

Subject to the provisions of Article 13 of the Judicial Authority Law referred to, the Administrative Circuit shall exclusively consider the following administrative disputes:

1. Disputes over salaries and pensions, bonuses and allowances payable to employees or their heirs, irrespective of their job grades.
2. Applications by people regarding the abolition of final administrative decisions issued for the promotion of first-class employees or below and equivalent, or termination of their service and the disciplinary decisions pertaining thereto.
3. Applications by natural and juristic persons for the abolition of final administrative decisions, except for the following:
 - a. Emiri orders, resolutions and decrees.
 - b. Resolutions issued under Law No. 17 of 2002 on the protection of community.
 - c. Decisions issued under the laws on private associations and foundations.
 - d. Decisions issued under the laws on publications, publishing and licenses to publish newspapers and magazines.
 - e. Decisions issued under the laws on weapons, ammunition and explosives licenses.
 - f. Decisions issued under the laws on the entry, residence and deportation of foreigners.
 - g. Decisions issued under the laws on expropriation for the common benefit.
4. Applications for compensation arising from the decisions described in paragraph 3 (b) and (c) of this Article, whether submitted directly or by proxy.
5. Administrative contract disputes.

Article 4

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| <ol style="list-style-type: none">1. For the acceptance of applications for the abolition of the decisions described in paragraph 3 (b) and (c) of the preceding Article, the appeal must be based on one of the following reasons:<ol style="list-style-type: none">1. Lack of jurisdiction.2. The presence of a defect in formality.3. Violation of laws and bylaws or error in the application or interpretation thereof.4. Abuse of power.2. Where the authorities decline to take an administrative decision that they would otherwise have taken in accordance with laws and regulations, such declination shall be considered an administrative decision. |
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Article 5

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| <p>The following applications shall not be accepted:</p> <ol style="list-style-type: none">1. Applications in which applicants do not have a direct personal interest.2. Applications for a stay of execution which are not associated with an application for the cancellation of the stay of execution decision.3. Applications for the cancellation of final administrative decisions provided for in Article 3 (b) of this Law before tabling an appeal to the administrative body and before the expiration of the scheduled dates by which the appeal must be decided.4. Grievance procedures and decisions thereon shall be explained in a statement by the Prime Minister. |
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Article 6

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| <ol style="list-style-type: none">1. An application for the cancellation of a final administrative decision shall be filed within sixty days:<ol style="list-style-type: none">1. From the date of publication of the impugned administrative decision in the <i>Official Gazette</i> or in publications issued by the administrative authorities; or2. From the date on which the person concerned received a declaration; or3. Where incontrovertible evidence shows that the person concerned has learned of the impugned administrative decision.2. The period for filing an application shall expire when a grievance is submitted to the administrative body. The grievance shall be decided on within |
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sixty days from the date of submission, and a rejection shall be accompanied by reasons.

3. The lapse of sixty days without a ruling on the grievance by the competent authorities shall be deemed a rejection. The deadline for the filing of a suit shall be calculated from the date of the express or implied rejection, depending on the circumstances.

Article 7

An application for the abolition of a decision shall not grant a stay of execution of the decision. However, the administrative circuit may, on request and depending on the circumstances, order the following:

1. Grant a stay of execution of the decision if the administrative circuit discovers serious elements that support the likelihood of the decision's abolition and that the implications of execution may not be remedied, and the decision is from the decisions described in Article 3 (c) of this Law.
2. Continuation of payment of full salary or part thereof until the application for abolition of the decision to terminate the service is considered, if the circuit considers it justifiable by the circumstances of the case.

Article 8

An appeal court called the "Administrative Appeal Circuit", formed of three judges of the Court of Appeal, shall consider the following:

1. Appeals by the people concerned with regard to judgments issued by the administrative Circuit.
2. Appeals against decisions relating to elections to the *Shura* Council and the Central Municipal Council.
3. Requests for abolition and compensation for the decisions of the Disciplinary Councils and the decisions of the competent administrative authorities with legal powers.

Article 9

1. The judgments of the Administrative Department shall be appealed within sixty (60) days from the date of the judgment.
1. The period prescribed in Article 6 of this Law shall apply to applications for the abolition of the decisions of the disciplinary councils and the decisions of the administrative authorities with legal powers.

Article 10

Grievance procedures and timelines provided for in the laws in force shall apply to the administrative disputes that may be challenged in accordance with the provisions of this Law. The administrative decision issued in this case may not be final or challenged by abolition or compensation unless all stages of litigation as determined by those laws have been exhausted.

Article 11

Except for the rules and procedures provided for in this Law, the procedures and rules set forth in the Law of Civil and Commercial Procedure referred to, and Law No. 12 of 2005 on the Cases and Procedures of Appeal by way of Cassation in non-criminal matters, shall apply to the lawsuits provided for therein and the rules issued therefore and the ways to challenge such provisions.

1. The judgments issued for cancellation shall be *an in rem* defense, and their executive formula shall be as follows:

"The heads of the administrative entities shall implement this judgment and act accordingly".

The other judgments shall conclude with the executive formula prescribed for all judgments.

Article 12

Unless retained for final judgment, all pending suits filed in accordance with this Law under the jurisdiction of the Administrative Circuit or the Appeals Circuit shall be referred thereto as they are, and without the imposition of a fee.

Article 13

Any provision that contradicts the provisions of this Law shall be abrogated.

Article 14

All competent authorities, each within its own jurisdiction, shall implement this Law which shall come into force as of 1/10/2007 and shall be published in the *Official Gazette*.