

# Law No. 12 of 2004 on Private Associations and Foundations 12 / 2004

Number of Articles: 48

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## Table of Content

- 1-1 (الباب الأول)
- 1-1 (تعريف)
- 36-2 (الباب الثاني)
- 36-2 (الجمعيات)
- 10-2 (الفصل الأول)
- 10-2 (إنشاء الجمعية)
- 15-11 (الفصل الثاني)
- 15-11 (الجمعيات المهنية)
- 22-16 (الفصل الثالث)
- 22-16 (إدارة الجمعية)
- 33-23 (الفصل الرابع)
- 33-23 (مالية الجمعية ورقابة أعمالها)
- 36-34 (الفصل الخامس)
- 36-34 (حل الجمعية)
- 42-37 (الباب الثالث)
- 42-37 (المؤسسات الخاصة)
- 38-37 (الفصل الأول)
- 38-37 (إنشاء المؤسسة الخاصة)
- 42-39 (الفصل الثاني)
- 42-39 (مالية المؤسسة الخاصة وإدارتها ورقابتها)
- 43-43 (الباب الرابع)
- 43-43 (العقوبات)
- 47-44 (الباب الخامس)
- 47-44 (أحكام ختامية)

We, Hamad bin Khalifa Al-Thani, Emir of the State of Qatar,  
Having perused the Amended Provisional Constitution, in particular Articles 23, 34 and 51 thereof,  
Law No. 8 of 1998 pertaining to the private Associations and Foundations, as amended by Law No. 3 of 2001,  
Law No. 7 of 1999 pertaining to the organisation of the Ministry of Civil Service Affairs and Housing and the  
specification of its functions,  
The proposal of the Minister of Civil Service Affairs and Housing,  
The bill submitted by the Council of Ministers,  
And having consulted the *Shura* Council,  
Hereby promulgate the following law:

## الباب الأول

### تعريف

Article 1 (Amended By Law 10/2010) (Amended By Decree 23/2007)

In applying the provisions of this Law, the following words and phrases shall have the meanings assigned to them, unless the context otherwise requires:  
"Ministry" means the Ministry of Social Affairs;

"Minister" means the Minister of Social Affairs;

"Association" means a group of several natural or juristic persons who share in common a humanitarian, social, cultural, scientific, professional or charitable activity, whose purposes shall not be to achieve a material profit or engage in political matters;

"Professional Association" means an association of people of one profession organized in accordance with the law;

"Private Foundation" means any special facility created by one or more natural or juristic persons for one or more charitable purposes, or public or private benefit for an unlimited period. It shall not include in its purposes the achievement of profit or engaging in political matters.

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## الباب الثاني

### الجمعيات

#### الفصل الأول

##### إنشاء الجمعية

Article 2 (Amended By Law 10/2010) (Amended By Law 8/2006)

1. To establish an association, the following conditions must be met:
  - (a) The number of founders shall be no fewer than twenty (20) people;
  - (b) Payment of a fee of One Thousand (1,000) Riyals;
2. A founding member or ordinary member must meet the following requirements:
  - (a) Must be of Qatari nationality;
  - (b) Must not be under the age of eighteen (18) years;
  - (c) Must have not received a final sentence in respect of a crime involving moral turpitude or dishonesty, unless such person has been rehabilitated;
  - (d) Must be of a good reputation and conduct.

The Council of Ministers may, when necessary, as the public interest so requires and on the proposal of the Minister, approve the establishment of Associations that do not meet certain conditions as set forth in items 1(a) and 2(a) of this Article.

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## Article 3

Founders shall meet as a constituent committee body to prepare the Memorandum of Association and Articles of Association, and shall be jointly liable for what such expenses as its establishment entails.

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Article 4 (Amended By Law 10/2010)

An Association's Memorandum of Incorporation shall particularly include the following:

1. The date and place of their issue;
2. The names, nationality, place of residence and age of each founding member;
3. The name of the Association, the location of its headquarters and its objectives.

The Association shall not use the name of 'Qatar' in its name or activities in a manner that prejudices the public interest of the State, and an Association shall not take a name that causes confusion with any other Association.

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## Article 5

Each Association shall have an Articles of Association that includes, in particular, the following:

1. The name of the Association, its area of operation and the location of its headquarters;
2. The purpose of the Association and its business rules;
3. Conditions of membership, the duties and rights of the members and the manner in which membership is withdrawn or voided, and the manner in which a member is to be dismissed;

4. The framework of operation of the Board of Directors', duration, terms of reference, the number of its members, and the manner and date of their election;
5. Terms of reference of the General Assembly, procedures for convening meetings, dates of meetings and the requisite quorum for the validity of a meeting, voting and decision-making processes;
6. The financial disposition of the Association at the beginning and end of the Association's financial year, its financial resources, and how these resources are used and disposed of;
7. Methods of financial control;
8. The rules relating to the organization of accounts, budget-setting, final accounts and the signing off of accounts;
9. The manner in which amendments may be made to the Articles of Association of the Association or its established branches, or amendments regarding its union or integration with other organizations;
10. The rules for the dissolution of the Association and the party to whom the Association's funds devolve.

The Articles of Association may not make provision that the dissolved Association's funds will be devolved to any other entity than private Associations or Foundations that operate in one or more areas of the dissolved Association.

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#### Article 6 (Amended By Law 10/2010)

The founders of an Association shall submit an application to the Ministry for registration and declaration, accompanied by the following documents:

1. Three copies of the Association's Memorandum of Association and Articles of Association, after being endorsed and signed by the founders;
  2. Minutes of the meeting of the founders establishing the Association stating the names of the members of the Interim Committee who will undertake the management of the Association in accordance with the provisions of Article 16 of this Law;
  3. The ownership deed of the headquarters of the Association, or its lease or the usufruct thereof, or an undertaking by the founders to provide headquarters for the activities of the Association within six (6) months from the date of registration. The Minister may suspend an Association's activities until headquarters have been established.
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#### Article 7 (Amended By Law 10/2010)

The Ministry may, within thirty (30) days from the date of submission of the application for registration and declaration, and if so required by the public interest, reject this application on the grounds of a reasoned decision, or request such amendments to the Association's Articles of Association as the Ministry deems necessary. The lapse of this period without a reply being received from the Ministry shall be deemed an implicit rejection of an application. The founders may, within thirty (30) days from the date of notification of the decision of rejection or amendment, or from the date of the implicit rejection, appeal to the Minister, who will submit such appeal, together with his opinion, to the Council of Ministers within the next thirty (30) days. The decision issued by the Council of Ministers on the grievance shall be deemed final.

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#### Article 8 (Amended By Law 10/2010)

The Ministry's approval of an application for registration and declaration shall be by means of a decision of the Minister following perusal by the Prime Minister. The registration details of an association shall be recorded in a special register in the Ministry, stating the Association's particulars such as its name, the location of its headquarters, objectives, the duration of its fiscal year, the names of the members of the Interim Committee, the number of board members and its legal representative. The Ministry shall take responsibility for advertising the registered association by publishing its Memorandum of Association and Articles of Association in the *Official Gazette*, and for the issuance of a certificate of registration signed by the Minister. Any amendment to the Articles of Association of the association shall be registered and advertised in accordance with the provisions of this Law.

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#### Article 9

The Association acquires legal identity once its registration and declaration are complete and in accordance with the provisions of this Law.

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#### Article 10

The Ministry shall maintain a file for each Association including a copy of its Memorandum of Association, Articles of Association, certificate of registration and the decisions issued in this regard.

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## الفصل الثاني

### الجمعيات المهنية

#### Article 11

Unless otherwise provided for in this Chapter, the provisions governing Associations under this Law shall apply to professional Associations.

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#### Article 12

1. For the establishment of a professional association, a fee of Fifty Thousand (50,000) Riyals shall be payable in addition to an annual fee of Ten Thousand (10,000) Riyals.
  2. Registration in any of the professional registries shall be a pre-requisite for being a founding member or ordinary member of a professional association.
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#### Article 13

A professional association aims to achieve the following:

1. Seeking to raise and advance the standard of the profession;
  2. Dissemination of professional awareness among the members of the Association and preservation of the traditions and ethics of the profession;
  3. Raising the academic level of the members of the Association;
  4. Provision of social and cultural services to the members of the Association;
  5. Strengthening the relationship between the members of the Association and the development of the spirit of cooperation among them.
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#### Article 14

A professional association and its members shall be prohibited from stopping work or inciting others to stop work, or participating in or making statements not related to the profession.

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#### Article 15 (Amended By Law 10/2010)

Without prejudice to the provisions of Article 8 of this Law, a professional association shall be licensed for a period of three (3) years, renewable for further similar periods. The licensing and renewal thereof shall be in accordance with the decision of the Minister following submission to the Prime Minister.

Payment of a licence renewal fee of Fifty Thousand (50,000) Riyals is required for such renewal.

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## الفصل الثالث

## Article 16

An association shall be managed by a board of directors consisting of no fewer than five (5) members and not exceeding eleven (11) members, elected by the association's general assembly from among its members for a period of three (3) years.

In exceptional circumstances, founders may select a number of members, no fewer than three (3) and not exceeding seven (7), to comprise a temporary committee to manage the association until the election of the first board of directors within a period not exceeding one (1) year from the date of registration and announcement of the association.

A member of the board of directors must have not been dismissed from his work as a result of causes involving moral turpitude or dishonesty, or, if he has been charged but the charge was rejected by the competent investigation authorities on the basis of insufficient evidence to justify criminal or disciplinary sanction, or if he has been acquitted of charges for the same reason, five (5) years must have elapsed since the termination of services or the issuance of the decision or judgement.

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## Article 17

At its first meeting, the board of directors shall elect from among its members a chairperson, vice-chairperson, secretary and treasurer.

The chairperson of the board of directors shall represent the Association before courts and in its relationships with third parties, and he may sign any documents on behalf of the Association.

The vice-chairperson shall deputise for the chairperson in his absence. Where the position of a board member becomes vacant for any reason, such vacancy shall be filled by the candidate who obtains the greatest number of votes among the candidates in the general assembly meeting at which the election of the board has taken place. The new member shall complete the term of office of his predecessor.

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## Article 18

The general assembly shall consist of all members who have fulfilled their obligations to the Association. The general assembly shall convene annually at an ordinary meeting on the invitation of the board of directors.

In the event of the failure of the board of directors to call for a general assembly meeting, the Ministry may convene this meeting.

The general assembly shall hold its meetings at the headquarters of the Association, although such meetings may be held in an alternative venue following the approval of the Ministry.

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## Article 19

The general assembly at its regular meeting shall consider the following matters:

1. The annual report of the board of directors;
  2. Ratification of the final accounts for the end of the financial year;
  3. Adoption of the draft budget for the new fiscal year;
  4. The auditor's report;
  5. Adoption of the appointment of an auditor and determination of his remuneration;
  6. Election of members of the board of directors;
  7. Indemnifying the previous board of directors;
  8. Other issues included in the agenda.
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## Article 20

The board of directors shall invite the general assembly to an extraordinary meeting if it deems such meeting appropriate, and shall also convene an extraordinary meeting if this is requested by one third of the members entitled to attend the general assembly, provided that the purpose of the meeting is indicated in the invitation to such meeting. Where the board of directors decline to convene such meeting, the Ministry may make the necessary arrangements.

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## Article 21

The general assembly, at its extraordinary meeting, shall consider the following matters:

1. The important and urgent issues the board of directors or members deemed worthy of presenting;
  2. Make a decision on the resignation of the chairperson of the board of directors, or the resignations submitted by members of the board of directors, or some or all of them due to matters affecting the Association or public interest;
  3. Cancelling the membership of the chairperson or of members of the board of directors, or all or some of them;
  4. Amendment of the Articles of Association of the Association;
  5. Dissolution of the Association, or its union or integration with another organization.
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## Article 22

A general assembly may not, at any ordinary or extraordinary meeting, consider issues not included on the agenda.

An extraordinary meeting of the general assembly may not be held to consider an issue on which a decision has already been given, unless one (1) year shall have elapsed from the date of issuance of such decision.

A meeting of the general assembly, whether an ordinary or extraordinary meeting, shall not be deemed valid unless the Ministry has been notified thereof at least seven days in advance. The Ministry may send its representative to attend general assembly meetings.

When notified of the meeting of the general assembly, whether an ordinary or extraordinary meeting, the Ministry may set an alternative date for the meeting, and the Association shall be informed thereof within three (3) days of the initial date of notification to the Ministry.

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### الفصل الرابع

#### مالية الجمعية ورقابة أعمالها

## Article 23

The funds of an Association shall be the property of that Association. Members, or a withdrawing member, or a member whose membership is cancelled shall not be entitled to such funds.

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## Article 24

An Association shall abide by the rules, regulations and accounting forms issued by the Ministry.

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## Article 25

An Association shall keep at its headquarters all records, books and documents required by and in accordance with the rules, regulations and principles of accounting.

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## Article 26

An Association shall deposit its funds in its name with one or more local banks selected by the board of directors. Withdrawals may not be made from these funds without the signature of the chairperson, or his deputy and treasurer.

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## Article 27

An Association may, following the approval of the Ministry, and consistent with its purposes, invest the surplus of its funds within the State to help finance its activities.

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## Article 28

The board of directors of an Association shall submit to the general assembly the final accounts for the end of the financial year, audited by licensed chartered accountants, and shall also submit the draft budget for the following financial year, a copy from which shall be served to the Ministry at least one month in advance of the date of the annual general meeting. The Ministry may cross-check these two documents.

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## Article 29

An Association may not fundraise, except with the permission of the Minister for a specific purpose for a limited period and in a manner that is consistent with the legislation and decisions in force.

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## Article 30

On the proposal of the Minister, the Council of Ministers may grant a subsidy or a loan to an Association and may also exempt an Association from any taxes or fees in order to help it achieve its goals.

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## Article 31 (Amended By Law 8/2006)

An Association may not join or participate in or become annexed to any Association, organization or club based outside the State unless approval has been given by the Minister.

An Association may not send or receive any loans, gifts, donations, bequests, endowments or other funds, to or from a person, Association, body or club based outside the State unless the approval of the Ministry has first been obtained. An Association shall send a copy of all transfer and receipt slips to the Ministry, indicating the name and address of the sender and the recipient.

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## Article 32 (Amended By Law 10/2010)

The accounts and activities of an association shall be subject to the supervision and control of the Ministry in order to verify their compliance with the law and the Articles of Association of the Association and its prescribed accounting principles.

The Ministry may assign one or more auditors to monitor the Association's accounts when necessary, and such auditor or auditors may, at any time, inspect the books, records and documents of the Association, and may request such data as is deemed necessary for the performance of auditing duties. The auditor or auditors shall submit a report to the Ministry with recommendations on completion of the audit.

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## Article 33

The Minister may, by means of a decision, approve the opening a bank account for any registered Association outside the State if it is based on the same underlying principles that organize Associations in accordance with the provisions of this Law.

The Minister's decision in this regard shall explain the manner in which the account should be opened and the methods used to follow up this activity.

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### الفصل الخامس

#### حل الجمعية

## Article 34

An Association may be dissolved by a decision of the general assembly at an extraordinary meeting attended by at least two thirds of the members. The decision on the dissolution shall be taken in accordance with the majority of the members present.

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## Article 35

The Minister's decision may dissolve an Association in any of the following cases:

1. In the event that membership numbers fall below twenty (20);
2. In the event of a violation of the provisions of this Law or its Articles of Association;
3. In the event that there is engagement in political matters.

The Minister may, instead of dissolving an Association, suspend the board of directors and appoint a temporary board of directors for a period not exceeding one year, if this action best serves the public interest and achieves the purposes of the Association.

Regarding the decision issued by the Minister to dissolve an Association, or the temporary appointment of a board of directors, the rules of appeal provided for in Article 7 of this Law shall apply.

The decision to dissolve an Association or to appoint an interim board of directors shall, after having become final, be published in the *Official Gazette*.

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## Article 36

On the dissolution of Association, its funds and documents shall be disposed of in accordance with the provisions of its Articles of Association.

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### الباب الثالث

#### المؤسسات الخاصة

#### الفصل الأول

#### إنشاء المؤسسة الخاصة

## Article 37

Unless otherwise specially provided for in this Chapter, the provisions governing Associations shall apply to private Foundations, bearing in mind that the document establishing a Foundation shall substitute for a memorandum of Association in these provisions.



Article 38 (Amended By Law 10/2010)

A Private Foundation shall be founded with a founding document of the founder or a memorandum of Association between founders, and shall have an Articles of Association. The founder or founders shall be jointly and severally liable for the expenses entailed in founding a Private Foundation. The Private Foundation's capital shall not be less than Ten Million (10,000,000) Riyals, and shall be fully owned by the founder or founders. The Council of Ministers may exempt Foundation from the requirement of capital, depending on the activity of the Foundation.

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#### الفصل الثاني

#### مالية المؤسسة الخاصة وإدارتها ورقابتها

Article 39

A Private Foundation's funds dedicated to its purposes and the proceeds of properties endowed thereto shall be deemed to be the property of the Foundation. Its founder or founders shall not be entitled to recover such property.

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Article 40

In the exercise of its activity, a Private Foundation shall be dependent on its own funding and may not be given government subsidies. It may accept gifts and bequests.

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Article 41

A Private Foundation's Articles of Association shall detail the management structure of the Foundation and the manner in which it is to be managed.

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Article 42

The Ministry shall supervise and control the work of private Foundations in accordance with the rules and regulations established by a decision of the Minister. The Ministry may dismiss managers who prove negligent or who use a Foundation's funds in a manner not consistent with the purpose or intent of its founder or founders. The Ministry may also appoint replacements, peruse the books and records and documents of a Foundation that relate to its work and may amend its Articles of Association.

A Private Foundation shall provide any information, documents or data requested by the Ministry.

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#### الباب الرابع

#### العقوبات

Article 43 (Amended By Law 10/2010)

Without prejudice to any more severe penalty provided by any other legislation, any person committing any of the offences enumerated in this Article shall

be punished by imprisonment for a term of not less than one month and not exceeding one year and by a fine of not less than Fifteen Thousand (15,000) Riyals and not exceeding Fifty Thousand (50,000) Riyals, or either of them:

1. Writing or presenting in writing any document or record that he is obliged to present by law that he knows to contain false statements;
2. Embarking on an activity for a private Association or Foundation before registration of such Association or Foundation has taken place in accordance with the provisions of this Law;
3. Initiating an activity from which an Association or Foundation is prohibited, or an activity contrary to the purpose for which an Association or Foundation was created, or spending monies of an Association or Foundation in a manner that does not achieve its purpose, or uses its funds for the purpose of financial speculation;
4. Knowingly continuing in bad faith the activity of a private association or foundation despite a decision having been made to dissolve it;
5. Collecting donations for a private association or foundation in contravention of the provisions of this Law. In the event of this, the judgement shall be the confiscation of donations collected.

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## الباب الخامس

### أحكام ختامية

#### Article 44

Employees of the Ministry, who will be designated in accordance with a decision of the Attorney-General in agreement with the Minister, shall have the capacity of judicial officers to investigate in the event of violation against the provisions of this Law and the decisions implementing thereof. In so doing, they may enter the headquarters of an association or foundation and its annexes; inspect thereof and peruse documents and records.

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#### Article 44 - BIS

The Council of Ministers may, in accordance with the requirements of the public interest, and on the proposal of the Minister, approve the exception of an association or foundation from the provisions contained in Articles 24 and 27 of this Law.

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#### Article 45

The Minister shall issue the necessary decisions to implement the provisions of this Law, design a template for a contract or document of incorporation, together with the Articles of Association for private Associations and Foundations.

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#### Article 46

Law No. 8 of 1998 referred to shall be abrogated, as shall any provision contrary to the provisions of this Law.

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#### Article 47

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

