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Al-Doha, Qatar

The Qatari Law of Associations and Private institutions

10/5/2004

His Highness Shaikh Hamad bin Khalifa al-Thani, The Amir of the State of Qatar, issued yesterday a law to govern the establishment of associations and private institutions. The law shall enter into force after six months of publishing it in the official gazette. Al-Rayah Newspaper publishes the law number 6 of the year 2004 concerning associations and private institutions.

We, Hamad bin Khalifa al-Thani, The Amir of the State of Qatar, having examined the amended provisional basic statues, particularly, Articles (23), (34) and (51) hereof, and law number 8 of the year 1998 concerning associations and private institutions amended by law number 3 of the year 2001, and law number 7 of the year 1999, organizing the Ministry of Civil Service and Housing Affairs and specifying its competencies, and the suggestion of the Minister of Civil Service and Housing Affairs, and the draft law submitted by the cabinet, and after consultation with Advisory Council,

We have enacted the following Law:

Section One

Definitions

Article (1)

In application of provisions of this law, the following words and expressions shall have the meaning next to each unless the context otherwise suggests:

Ministry: Ministry of Civil Service and Housing Affairs

Minister: Minister of Civil Service and Housing Affairs

Association: A group formed of natural or legal personality join together to perform a Humanitarian, social, cultural, scientific, professional or charitable activity and do not aim to achieve material or political aims.

Professional

Association: An association of persons who work in one profession governed by one law.

Private

Association: Any institution formed by one natural or legal person or more to achieve one Charitable, private or public utility purpose or more for an unlimited period, and who does not aim at making material profit or to involve in political matters.

Section Two

Associations

Article (2)

1. The following conditions shall apply in order for an association to be established:

1. The number of founding members shall not be less than 20.
2. A member shall pay a fee of 1000 riyals;

2. Founding or joining member shall:

- a. Hold a Qatari nationality;
- b. be above 18 years old;
- c. not be convicted in a crime of honour or decency, unless if charges were dropped and rights were restored.
- d. have good conduct and reputation.

The condition of nationality stated in paragraph 2(1) of this article may be exempted by a decision to be taken by the Council of Ministers upon a suggestion by the Minister if the nature of the activity of the association, achieving its aims, or practicing its activities require the contribution of non Qatari citizens to establish or join the association. The percentage of non founding and joining Qatari members shall not exceed 20 percent of the total number of members.

Article (3)

Founding members shall meet in a founding committee to prepare the founding agreement and the basic law of the association. They shall be alone responsible, in solidarity, of the costs of establishing the association.

Article (4)

Each association shall have its basic law which shall particularly contain:

1. The name of the association and the geographic area of its activities and the location of its work.
2. The purpose of the society and its rules.
3. The conditions of membership, the duties and rights of members and withdrawal, expulsion and termination of membership procedures

Article (5)

The association agreement shall specifically include:

1. The date and place of signing the agreement;
2. The names of founding members, their nationality, and their place of residency;
3. The name of the association, location of its premises and its purposes;
4. The organizational structure of the board of directors, its term, its competencies, the number of its members, election procedures and the date the board members were elected;

5. The competencies of the general assembly, procedures of convening, the schedule of its meetings, the legal quorum, voting and decision making procedures.
6. The beginning and ending of its financial year, its financial resources and means of using these resources;
7. Financial monitoring and supervision;
8. Rules related to the organization and endorsement of accounts, the budget, the final accounts
9. Rules for amending the basic law of the association, establishing branches or unions and merging with other associations;
10. Rules for dissolving the association and the parties to receive the funds after liquidation.

The basic law of the association shall not stipulate that its funds after liquidation shall be transferred to association or private institutions other than those working in one or more of the fields are involved in.

Article (6)

The founding members shall submit a registration application together with the following documents:

1. Three copies of the founding agreement and the basic law of the association endorsed and signed by founding members;
2. Minutes of founding members meeting and a list of temporary committee members to manage the association according to the provisions of article (16) of this law.

Article (7)

The Ministry may deny registration, within 30 days of submitting the registration application, by a justified decision. I may ask to introduce amendments to the basic law relating to public interest it deems necessary. The application shall be considered as implicitly not approved if this period elapses without receiving a response from the Ministry.

Founding members may complain to the Minister within thirty days as of notifying them of the disapproval, amendment or implicit disapproval decision. The Minister shall present the complain to the Council of Ministers with his remarks on the complain within the following thirty days. The decision of the Council of Minister with regard to the complain shall be final.

Article (8)

The approval of the Ministry of the registration application shall be taken by a decision issued by the Minister and endorsed by the Council of Ministers. The association shall be registered in a special registry at the Ministry which shows the name of the association, its premises, its purposes, its duration, its financial year, the name of the temporary committee, the number of the board of directors' members and the name of the legal representative of the association.

The Ministry shall declare the registration of the association by publishing its association agreement and its basic law it the official gazette and by issuing a registration certificate signed by the Minister.

Any amendment to the basic law of the association shall also be registered and declared according to the provisions of this law.

Article (9)

The Ministry shall keep a file for every association, which shall include a copy of the association agreement, the basic law, registration certificate and decisions taken by the association.

Section Two

Professional Associations

Article (11)

Provisions organizing associations in this law shall be applicable on professional associations, where no special provisions are stated in this section.

Article (12)

1. A registration fee of fifty thousand riyals shall be paid in order to establish a professional association in addition to ten thousand riyals as an annual subscription fee.
2. A founding or joining member of a professional association shall be registered in one of the professional registers.

Article (13)

The professional association shall aim at:

1. Enhancing the level of the profession and developing it;
2. Spreading awareness among the members of the association, and maintaining the traditions and morality of the profession;
3. Developing the scientific level of members;
4. Providing social and cultural services of the association members;
5. Strengthen relations between the members of the association and enhancing the spirit of cooperation between them.

Article (14)

The professional association and its members shall not strike, call for a strike, instigate it or participate in it. It shall not issue statements on issues not related to the profession.

Article (15)

Without prejudice to the provisions of article (8) of this law, licensing of the professional association shall be given for 3 renewable years for one or more terms. The decision to license the association and to renew the license shall be taken by the Minister. A fee of 50000 is required to renew the license.

Chapter Three

The Management of the Association

Article (16)

The association shall be managed by a board of directors formed of not less than five members and not more than eleven to be elected by the general assembly from among its members for a term of three years.

In exception to the above, the founders shall select a number of members not less than three and not more than seven to form a temporary committee which shall manage the association until the first board of directors is elected within a period of not more than one year as of the date of registration of the association and declaring it.

The board member shall not be a person whose service was terminated for reasons related to honour or decency. He shall not be accused of such accusations where a decision by specialized investigation authorities has been issued indicating the difficulty of filing a lawsuit against him due to lack of necessary evidence or where a verdict was issued declaring his innocence for the same reason unless five years have elapsed as of the date of the termination of the service or the issuance of the decision or the verdict.

Article (17)

The board of directors in its first meeting shall elect from among its members a president, a vice president, a secretary and a treasurer.

The chairman of the association shall represent the association before the judiciary and in its relations with others. He shall have the right to sign on behalf of the association. The vice chairman shall replace the chairman in his absence. If one of the seats of the board becomes vacant for any reason, the person who attained the higher votes from among the nominees at the general assembly meeting when the elections were held shall take over the vacant seat for the remaining period of the term.

Article (18)

The general assembly shall be formed of all members who paid their due financial contributions. The assembly shall be called to convene in an ordinary general assembly by a call from the board of directors once every year. The Ministry may, in case the board of directors does not call the general assembly to convene, send the invitation. The general assembly shall hold its meeting at the premises of the association. The meeting may be held in another location after an approval is obtained from the Ministry.

Article (19)

The general assembly in its ordinary meeting shall look into the following matters:

1. The annual report of the board of directors;
2. Approve the final budget of the previous year;
3. Approve the draft budget of the coming financial year;
4. The report of the auditor;

5. Assign an auditor and specify his remuneration;
6. Elect a new board of directors;
7. Discharge the former board of directors of their performance of their duties;
8. Other issues on the agenda of the meeting

Article (20)

The board of directors may call the general assembly to meet in an extraordinary meeting if necessary. It shall call the assembly to convene upon a request by one third of the members who are eligible to attend the general assembly meeting on the condition that they state in the request the purpose of the meeting. If the board does not respond and call for the meeting, the Ministry may send the invitations for the meeting.

Article (21)

The general assembly in its extraordinary meeting shall look into the following matters:

1. Urgent and important matters the board of directors or the members want to discuss;
2. Take a decision with regard to the resignation of the board of directors or resignations submitted by some or all members of the board for reasons affecting the society or the public welfare.
3. Expulsion of the chairman or some or all members of the board;
4. Amending the basic law of the association.

Article (22)

The general assembly in its ordinary or its extraordinary meeting shall not look into matters not on the agenda of the meeting.

The extraordinary general assembly meeting shall not convene to look into matters where a decision has been taken with its regard unless one year has elapsed as of the date of issuing this decision.

The ordinary and extraordinary meeting of the general assembly shall not be considered legal if the Ministry is not notified about the meeting at least 7 days prior to holding it. The Ministry may assign a representative to attend the meetings of the general assembly.

The Ministry, upon being notified of the date of the ordinary or extraordinary meeting, may postpone the meeting and shall inform the association of this decision within 3 days as of the date of notification.

Chapter Four

The Finances of the Association and Supervision of its Activities

Article (23)

The funds of the association belong to the association and not to its members. A member who withdraws, who is expelled or whose membership is terminated shall not claim any right in these funds.

Article (24)

The association shall abide to the rules, regulations and accounting models provided by the Ministry.

Article (25)

The association shall keep at its management premises all registers, books and documentation stated in the rules and regulations and according to standard accountancy rules.

Article (26)

The association shall deposit its cash funds in its name at one or more of the local banks to be chosen by the board of directors. No amount shall be withdrawn without the signature of the chairman of both the board or his deputy and the treasurer.

Article (27)

The association, after obtaining the approval of the Ministry, and without violating its aims, may invest the surplus of its funds inside the state to finance its activities.

Article (28)

The board of directors of the association shall submit to the general assembly the final budget of the previous financial year audited by a certified auditing office. It shall submit the estimated budget of the coming financial year. It shall submit a copy of each to the Ministry at least one month before the meeting. The Ministry may conduct a financial review of the budget.

Article (29)

The association shall not raise funds for a certain purpose and a certain period of time without a prior approval from the Minister and in the way that does not contradict with the laws and decisions in force.

Article (30)

The Council of Ministers may, upon a suggestion by the Minister, grant the association a financial assistance or a loan. He may exempt the association from any customs or fees to assist it to achieve its aims.

Article (31)

No society shall be allowed to subscribe, join or enroll in any other association or body or club which are located outside the State. It shall not receive or send any loans, grants, donations, Awqaf money, or any other kind of funds from a person, association, body, or club which is located outside the state prior to obtaining a written approval from the Ministry. The association shall send a copy of the transfer voucher and receipt of transfer voucher to the Ministry clarifying the name and address of the donor and the name and address of the body who received the transfer.

Article (32)

The activities of the association and its accounts shall be subject to the supervision and monitoring of the Ministry to ensure its compliance with the law, the basic law of the association and the accountancy rules.

Article (33)

The Minister, by a decision taken by him, may approve opening a bank account for any association registered outside the State if it performs the same purposes the organized associations performs according to the provisions of this law.

The decision of the Minister shall clarify the procedures of such an account and means to follow-up on it.

Chapter Five

Dissolving the Association

Article (34)

The association may be dissolved by a decision to be taken by the general assembly in an extraordinary meeting attended by one third of the members. The decision of dissolving the association shall be taken with the approval of the majority of attending members.

Article (35)

The Minister, by a decision taken by him, may dissolve the association in the following cases:

1. If the number of its members becomes less than 20.
2. If it violates the provisions of this law or its basic law.
3. If it get involved in political issues.

The Minister, instead of dissolving the association may, expel its board of directors and assign a temporary board for a period not exceeding one year, if such a procedure protects the public welfare and achieves the purpose of the association.

Rules stated in article (7) of this law shall be applicable in case the Minister decides to dissolve the association or to appoint a temporary board of directors. The decision of dissolving the association or the appointment of a temporary board, after finalization, shall be published in the official gazette.

Article (36)

When an association is dissolved its funds and its documents shall be treated as stated in its basic law.

Section Three

Private Institutions

Chapter One

Establishing Private Institutions

Article (37)

Except where there is a special text stated in this chapter, private institutions shall be subject to the provisions of the association law with the condition that the founding document of the private institution shall replace the founding agreement of the association in these provisions.

Article (38)

The private institution shall be established by a founding document by the founder or by a founding agreement by the founders. It shall have a basic law, and its members shall be alone responsible, in solidarity, for the costs of its establishment. The funds of the private institution shall be owned completely by the founder or founders of the institution.

Chapter Two

The finances of the private institution, its management and its supervision

Article (39)

The amounts of funds specified by the founders for the private institution and funds attained from investing them shall be considered as funds of the institution and its founder or founders shall not be entitled to claim them.

Article (40)

The private institutions, in practicing its activities, shall depend on self generated funds. It shall not receive assistance from the government. It may accept grants and donations.

Article (41)

The basic law of the private institution shall specify its method of management and organization.

Article (42)

The Ministry shall supervise and monitor private institutions according to rules and regulations to be issued by a decision from the Minister. It may expel managers when it proves that they ignored their responsibilities and used the funds of the association in means that do not correspond with the aims and objectives of its founder or founders. It may assign

persons to replace them and it may examine the books of the private institution and its records and documentation related to its work. It may also amend its basic law. The private institution shall be obliged to submit any information, documentation or data, the Ministry may request.

Section Four

Penalties

Article (43)

Notwithstanding any severer penalty stated in any other law, anyone who:

1. Knowingly writes or submits a written document or record required by law, which contains false information;
2. Starts with an activity related to an association prior to its registration and declaration according to the provisions of this law;
3. Conducts a banned activity, an activity which violates the aims of the association, spends its funds in activities that do not achieve the aims or uses the funds in financial speculations.
4. Continues to participate in the activities of an association where a decision has been take to dissolve this association.
5. Raises funds for as association or a private institution in violation to the provisions of this law. Funds raised shall be confiscated;

shall be punished by imprisonment for a period not less than one month and not more than one year and a fine of not less than five thousand riyals and not more than ten thousand riyals or both penalties.

Section Five

Concluding Provisions

Article (44)

The employees of the Ministry, assigned by a decision of the public prosecutor, in agreement with the Minister, shall have inspection authority in investigating and proving violations to the provision of this law or its executive decision. They may enter the premises of the association or private institution and its annexes, to inspect them and to examine its documents and records.

Article (45)

The Minister shall issue the necessary decisions for the implementation of the provisions of this law and a model founding agreement document and basic law for associations and private institutions.

Article (46)

Law number (8) of the year 1998, shall be cancelled and any provisions contradicting with the provisions of this law shall also be cancelled.

Article (49)

All concerned bodies; each in its capacity shall have to execute this law which shall enter into force 6 months after publishing it in the official gazette.

Hamad Bin Khalifa Al Thani Emir of the State of Qatar

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