

LAW NO. 4 OF 2009 REGULATING THE ENTRY AND EXIT OF EXPATRIATES IN QATAR AND THEIR RESIDENCE AND SPONSORSHIP

We, Tamim Bin Hamad Al Thani, the Vice Emir of Qatar,

Upon cognizance of the Constitution;

Law No. 3 of 1963 regulating the entry and exit of expatriates to and from Qatar, as amended;

Law No. No. 8 of 1983 for the conciliation of the expatriate entry and exit crimes in Qatar, as amended by the Decree by Law No. 13 of 2003;

Law No. 3 of 1984 regulating the sponsorship of the entry and exit of expatriates, as amended by Law No. 21 of 2002;

Decree by Law No. 20 of 1998 for determining the categories and rules of the charges, the fees charged by the Ministry of Interior and the penalties that may be settled in connection with the expatriate entry and exit crimes in Qatar;

Law No. 2 of 2006 regulating the entry and residence of some categories of persons in Qatar;

The proposal by the Minister of Interior;

The draft law provided by the Council of Ministers;

And upon consultation with the Shura Council,

Have resolved to issue the following Law:

Chapter One Definitions

Article 1

Unless the context requires otherwise, upon the application of the provisions hereof, the following terms shall have the meanings as assigned thereto:

"Ministry" means the Ministry of Interior;

"Minister" means the Minister of Interior;

"Competent Authority" means such department having the power to enforce this Law, as determined by the Minister;

"Expatriate" means any person that may enter the State other than a Qatari national;

"Visa" means the permit granted to any expatriate to enter the State;

"Entry & Exit Stamp" means such stamp that may confirm the entry and exit by the expatriate through any of the inlets and outlets in accordance with the provisions of this Law;

"Residence" means any permit authorizing any expatriate to reside in the State in such events and on such conditions as determined by this Law and by its executive regulation and the resolutions issued in execution hereof;

"Residence Sponsor" means the employer, the father or the person inviting the visitor on his sponsorship. Such sponsorship shall include granting permission to the sponsored person to leave the State;

"Exit Sponsor" means such person who undertakes to comply with all the obligations incumbent upon the expatriate for leaving the country which are not fulfilled yet. The liability of the exit sponsor shall terminate upon the re-entry of the expatriate to the State;

"Departure" means the exit of the expatriate from the State upon the depletion of the purpose for which such expatriate was granted the entry or residence permit;

"Deportation" means to compel the expatriate to leave the State if a deportation order is issue;

"Exit Order" means to compel any expatriate that may have entered the State illegally to leave the State;

"Travel Document" means such document issued in lieu of a passport by the competent authorities in the relevant country or by any other recognized authority.

Chapter Two

Entry and exit of Expatriate to and from the State

Article 2

No expatriate may enter to or exit from the State unless such Expatriate holds a valid passport or Travel Document and holds an entry Visa issued by the Competent Authority, showing the purpose of such entry.

Article 3

No expatriate may enter to or exit from the State other than from the applicable inlets and outlets as determined by the Minister for the entry to and exit from the state, upon affixing the entry or exit stamp on the passport or travel document of the expatriate or by any other means as determined by the Minister.

Article 4

No work Visa shall be granted to any Expatriate that has already been granted a Visa to work in the State until the expiry of two years from the date of Departure.

The Minister or his nominee may exclude the application of such term and in some events, the competent authority may exclude some events from the application of such term on a consent in writing by the former sponsor.

Article 5

The sponsor and the expatriate shall refer to the competent authorities within seven working days from the date of entry to the State by the expatriate to complete the procedures of the residence or work visa.

The competent authority may authorize the sponsor or the expatriate to delegate any other person to complete any of the procedures as set forth in the preceding paragraph.

Article 6

During his stay in the State, the expatriate shall provide to the competent authority, on demand, the passport or the travel document and shall provide any such information as required in due time.

The expatriate shall, in the event of loss or damage of the passport or the travel document, notify the competent authority immediately upon discovery of such loss or damage and shall obtain a new passport or travel document in lieu of the lost or damaged passport or travel document.

Article 7

Ship masters, plane pilots and the drivers of vehicles and any other means of transport shall, immediately upon their arrival to and departure from the state, provide to the competent authority a list of the names of the crew members of such ships, planes or vehicles, the passengers and the relevant information. Such masters, pilots or drivers shall not carry any passengers not holding valid passports, travel documents or entry visas, otherwise such masters, pilots and drivers shall prevent any passenger not holding the same from leaving the ship, the plane or the vehicle and shall notify the competent authorities.

In all events, the violating carrier shall carry, at its own cost, any passenger not holding a passport, a travel document or an entry visa to the country where such passenger comes from.

Article 8

Managers of hotels and the like or their nominees shall provide information to the competent authority about such persons permitted to enter the state through such hotels and shall, unless otherwise required, accommodate such persons in such place where the visas have been issued to such persons. If any of such persons is absent from such place of staying for more than 48 hours without any notice, the competent authority shall be notified within 24 hours and the hotel shall bear all the obligations of the sponsor to the sponsored person.

At all events, any person lodging an expatriate shall notify the security department in whose jurisdiction area the relevant hotel or place of lodging is located of the name and address of the expatriate within 24 hours from the time of his arrival.

Chapter Three Residence of the Expatriates in the State

Article 9

Any expatriate entering the state for residence shall first obtain the relevant visa from the competent authority. The sponsor shall accomplish the residence procedures and its renewal, provided that such renewal shall be done within 90 (ninety) days from the expiry date of the Visa.

The sponsor shall deliver the passport or travel document to the sponsored person once the procedures for issuing or renewing the residence permit are accomplished.

Article 10

Any expatriate entering the state for the purpose of visit or business or the like shall be exempted for no later than 30 days from the obligations as provided under Article 5 hereof.

No expatriate may stay in the state upon the expiry of the above period unless the visit visa is renewed or a Residence permit is granted to such expatriate.

Article 11

Any expatriate permitted to enter or reside in the state for a particular purpose or for business with any particular entity shall not act in breach of the relevant purpose and shall leave the state upon the depletion of such purpose, the completion of such business or the cancellation of the residence for any reason whatsoever.

Article 12

The Minister or his nominee shall transfer the sponsorship of any expatriate worker on a temporary basis if there are any suits filed between the sponsor and the Expatriate worker.

The Minister or his nominee may approve the transfer the sponsorship of any Expatriate worker not governed by the Labour Law to any other employer in the event of abuse by the employer or as required by the public interest.

For the same reasons, with the consent of the Minister or his nominee and on demand by the worker and the approval of the Ministry of Labour, the sponsorship of a worker governed by the Labour Law may be transferred to any other employer.

Article 13

No expatriate granted residence may stay continuously outside the state for over six months, unless prior to his departure or prior to the expiry of one year, such Expatriate obtains a reentry permit from the Competent Authority upon payment of the applicable fees, provided that the residence of such expatriate has not expired for over sixty days.

The Minister or his nominee may exclude such term.

Article 14

If a worker is dismissed from work in accordance with the provisions of Article 61 of the Labour Law, the laws regulating the affairs of the public employees or any other law without appealing the dismissal resolution before the competent court or the appeal of such resolution by the Expatriate and the rejection of such appeal, such worker may not reenter to the state for work until the expiry of four years from the date of his Departure.

Article 15

No natural or corporate person may permit expatriates brought to the state for work to be employed by other entities or employ any workers not sponsored by such person.

Notwithstanding the above, the competent authority may authorize a sponsor to lend his Expatriate workers to another employer to work for such employer for no later than six months, which may be renewed for similar terms.

The competent authority may also authorize any expatriate to work for some time for another employer other than during the working hours of the original employer, provided that the sponsor of such Expatriate agrees thereto in writing.

At all events, the approval of the Ministry of Labour shall be obtained in connection with the categories governed by the provisions of the Labour Law.

Visas may not be assigned or transferred to third parties in any manner whatsoever nor can be used by third parties, whether such transfer, assignment or use is for consideration or not.

Article 16

Residence permits shall be granted to the spouse of the person granted a Residence permit and to his/ her male children who have not completed their university study up to the age of 25 and to his/ her unmarried daughters.

Subject to the consent of the Minister or his nominee at his sole discretion, the parents of the person granted a residence permit may also be granted residence permits.

The conditions for granting residence shall be determined under a resolution by the Minister in accordance with the provisions of the preceding paragraphs of this Article.

Article 17

Any expatriate whose family is granted residence shall apply for residence to his/her new born baby within 60 days from the date of birth or entry to the state.

If birth occurs outside the state and if either parent holds a valid Residence, the new born baby shall be permitted to enter the state within two years from the date of birth.

Chapter Four Regulation of the Expatriate sponsorship

Article 18

Every expatriate granted a visa to enter the state shall have a sponsor.

Other than women sponsored by the father and the minors and visitors visiting the state for no later than 30 days, expatriates may not leave the state temporarily or permanently unless they provide an exit permit issued by the Residence Sponsor.

If such permit cannot be obtained due to the rejection by the sponsor to grant such permit or the death or absence of the sponsor without appointing a representative of such sponsor, the expatriate may provide an exit sponsor or a certificate that there are no judgments under execution or claims made against the expatriate issued by the competent courts after 15 days from the publication of a notice in two daily newspapers for once prior to the Departure of the Expatriate from the state, all in accordance with such procedures and measures issued under a resolution by the Minister.

Article 19

A sponsor, whether a natural or legal person, must meet the following conditions:

1. Be a Qatari national or an expatriate residing in the state in accordance with the provisions of the law and if such a sponsor is a legal person, then its head office shall be located in the State or it has an administrative branch within it.
2. Be qualified to bear the obligations of the sponsorship as imposed by law and shall employ the expatriate under its own supervision if such expatriate is coming for work.

Article 20

The residence or exit sponsor may not be required to pay such amounts or to bear such obligations in excess of the debt payable by the sponsored expatriate nor under severer conditions than those of the guaranteed debt.

Article 21

The person in charge of the residence sponsorship of an expatriate be determined as follows:

1. That the employer alone shall sponsor the Expatriate coming for work;
2. That the father shall be the sponsor of the members of his family residing with him in the state;
3. That the visitor shall be sponsored by his host residing in the state;
4. That the wife shall be sponsored by her husband. The wife shall continue to be sponsored by her husband even if she is occupies any job. A wife coming to the state for work may bring her husband with her in accordance with such conditions issued under a resolution by the Minister.
5. A Qatari woman married to a non Qatari may by law and with the consent of the Competent Authority bring her husband and children to the state under her own sponsorship.

Article 22

The competent authority shall transfer the sponsorship of the expatriate worker to another employer under a written agreement between the new employer and the former employer, subject to the consent of the competent authority at the Ministry of Labour in connection with such categories governed by the provisions of the Labour Law. Upon the transfer of the sponsorship, the new sponsor shall bear all the obligations of the former employer, the sponsorship of the former sponsor shall terminate and the relevant obligations of the former sponsor shall be discharged.

Article 23

The residence sponsor shall be liable for all the obligations of the expatriate sponsored by the residence sponsor if the sponsor has been notified thereof and accepted such obligations in writing, provided that the sponsored expatriate has no apparent funds that may be applied to settle such obligations.

Article 24

The sponsor shall undertake the following:

1. Repatriate the sponsored person upon the expiry or cancellation of the residence permit or upon deportation order. If the expatriate declines to leave the State in any of such events, the sponsor shall notify the competent authority to deport such expatriate. The sponsor will pay the deportation expenses. The sponsor shall not be liable to pay the deportation expenses of the sponsored expatriate who is not subject to the Labour Law after 30 days from the date the sponsor reported the escape of such expatriate.

At all events, any person that may employ any expatriate not sponsored by such person, in violation of the provisions of this Law, shall pay the deportation expenses in addition to the applicable penalties.

2. Bear the costs for the burial of the body of the dead sponsored expatriate who was working for such sponsor in the relevant cemeteries in the state, irrespective of the reason for death. If any heir of the deceased expatriate who died naturally or any relevant entity wishes to carry the body outside the state, the sponsor shall bear the costs of carrying the body to the original country or the permanent place of residence of the deceased worker.

The Ministry may require any worker governed by the provisions of the Labour Law to provide a bank guarantee the conditions of which shall be determined under a resolution by the Minister, to ensure the payment of his obligations to the Ministry and the sponsor.

Article 25

If the sponsor is a public employee and such sponsor violates his/her obligations towards the sponsored worker, the Ministry may collect the repatriation expenses from the salary and dues of such employee, in coordination with the entity he works for.

Article 26

The exit permit shall be signed by the residence sponsor or by his agent before the competent authority. The signature of the sponsor or his agent on the exit permit shall be identical to his signature maintained by the Competent Authority or shall be certified by the relevant authorities.

If the exit sponsor is not the residence sponsor, it shall be conditional that the Exit Sponsor signs the exit permit before the Competent Authority to accept such sponsorship.

Article 27

Subject to the provision of Article 23 of this Law, a creditor may not have recourse to the sponsor alone to recover its debt until recourse to the sponsored debtor. The creditor may not also apply the funds of the sponsor to collect such debt until the funds of the sponsored debtor are applied in full to settle such debt, unless the sponsor is a guarantor jointly with the sponsored debtor.

At all events, the sponsor shall hold to its right that the sponsor may not be demanded to pay the obligations or that its funds may not be applied to settle such obligations until recourse to the sponsored debtor, otherwise the sponsor shall be deemed to have waived such right.

Article 28

It is conditional for payment by applying the funds of the sponsored debtor in full to repay the debt that the sponsor has not expressly or implicitly waived such condition and that the sponsor is not jointly liable with the sponsored debtor. The sponsor shall at its own cost direct the creditor to any funds held by the debtor to settle the debt, provided that such funds are attachable, not disputed and located in the state.

Article 29

The application of the funds of the debtor in full to settle the debt upon hearing the claim of the guaranteed debt from the sponsor shall not suspend the proceedings. However, the court should hear the claim and issue a judgment in its subject matter, provided that the judgment shall state that the funds of the sponsor may not be applied to settle the debt until the funds of the sponsored debtor, if any, have first been applied in full to settle the debt.

Article 30

The sponsor may hold to all defenses that may be provided by the debtor, provided that if the defense provided by the sponsored debtor is that the sponsor is not qualified and the sponsor was aware of that at the time of contracting, then the sponsor may not provide such defense.

Article 31

In all events in which the sponsor refers to funds to his sponsored debtor, the sponsor shall be discharged in the same value of funds that were collected by the creditor and the value of

the funds that the creditor could not collect because of not taking the appropriate actions in time.

Article 32

The sponsor shall be discharged if the creditor accepted to collect, in consideration of the debt of the sponsor, something other than cash.

Article 33

The creditor shall deliver to the sponsor all documents necessary for enforcing its right to recourse to the original debtor. If such debt was secured by mortgaged or seized asset, the creditor must release or transfer it for the sponsor. If such debt was secured by real estate insurance, the creditor shall take all necessary actions to transfer such insurance to the sponsor who shall bear all costs of such actions and shall be entitled to recourse them to the sponsored debtor.

Article 34

If the sponsor satisfied all or part of the debt, he shall replace the creditor in his rights within the same value that he paid and he may recourse it to the sponsored debtor.

Article 35

The sponsorship shall end according to the end of the original liability for any reason of ending the liabilities.

Article 36

Subject to the preceding Article, the sponsor shall be discharged in the following cases:

1. Discharging his sponsored debtor.
2. In the same value that was lost because of the creditor's mistake of the securities or warranties dedicated to satisfy his debt even it was determined after the sponsorship and in the same value of the insurance or security lost in the value of the funds that were charged to him.
3. If the creditor did not claim the debt due to him from the sponsored debtor within thirty days of the notification of the sponsor to the creditor to take the required action by way of registered mail attached with the delivery notification or if the creditor did not notify the sponsor within ten days of the actions that he took to require his debt by registered mail attached with delivery notification.
4. If the creditor did not claim the debt due to him from the sponsored debtor within fifteen days of the publication of the departing date of the expatriate sponsored debtor of the state and calling the creditors to present their debts, provided that the publication shall be executed in two daily newspapers and for one time. The calculation of the period of fifteen days shall be started as from the next day of the day of publication.

Chapter Five

Deportation and the Order to Leave the State

Article 37

As an exception to the provisions of any other Law, the Minister shall be entitled to issue an order to deport any Expatriate whose presence in the State holds a threat to the security and safety of the State from inside and outside or may damage the national economy or public health or morals.

Article 38

The Minister may, if he deems necessary, arrest the Expatriate who has been ordered to exile or deport from the State for thirty days, renewable for several similar periods.

Article 39

The Minister may, if an order of exiling or deporting the expatriate was issued and not executed, force the Expatriate to reside in a specific area for two renewable weeks in lieu of arresting him for a period or other similar periods. Accordingly, the expatriate has to surrender himself to the security department of the same area on the dates provided in the issued order until exiling or deporting him.

Article 40

The expatriate who has been ordered to leave or deport from the State may not be able to return to the State unless by an order by the Minister.

Article 41

The expatriate shall leave the State if he did not obtain a Residence permit or if such permit expired and he may return if he succeeds to satisfy the conditions of such return in accordance with the provisions of this Law.

Article 42

The Minister or his nominee may grant the expatriate who has been ordered to leave or deport and who has interests in the state and needs time to end it, a period not exceeding 90 days, renewable, provided that he must provide an acceptable guarantee.

Chapter Six

Entry and Residence of Some Categories

Article 43

As an exception to what is provided in Article 18 of this Law, the Minister may issue visas and residence permits without sponsorship for the following categories:

1. Investors subject to the provisions of Law No. 13 of 2000 concerning regulating the investment of non-Qatari capital in the economic activity.
2. Owners and beneficiaries of real estates and residing units in accordance with Law No. 17 of 2004 concerning regulating owning and benefiting of Non-Qatari of real estates and residing units.
3. Any other categories specified by a resolution issued by the Council of Ministers.

Article 44

Requirements of issuing residence permits for the categories referred to in the preceding Article:

1. The applicant shall provide the documents supporting his application.
2. The applicant shall be reputable.
3. The applicant shall pass the medical test.

Article 45

The Residence period shall be for 5 years, renewable for a period or for other similar periods.

Article 46

Residence may be granted for non-employment purposes to the spouse, children or parents of the person who has a residence permit.

Article 47

A person who has a residence permit may exit from the State during its validity period without obtaining permission or authorization.

Article 48

A person who has a residence permit may not violate the purpose for which he obtained the residence, unless he gets permission from the competent authority to do so.

Article 49

The Minister or his nominee may, in case of expiry or refusing to renew the Residence, give the person who has Residence permit and his family a period to leave the State not exceeding 90 days of the date of expiry of his Residence.

Article 50

The Residence permit shall end for the following reasons:

1. If it is proven that the person obtained it according to incorrect information or documents.
2. If the continuance of his residence threatens the security and safety of the State from the inside or outside or damages the national economy or public health or morals.
3. If such person violates the purpose for which he obtained the Residence permit without obtaining permission from the Competent Authority to do so.

Chapter Seven Sanctions

Article 51

Every person violating provisions of Articles 2, 3, 10/2, 11, 15/1-5, 39/2 and 48 of this Law shall be jailed for a period not exceeding 3 years and shall pay a penalty not exceeding QR 50,000 or either one of them.

If such person repeated such violation, he shall be jailed for a period not less than 15 days and not more than 3 years and shall pay a penalty not less than QR 20,000 and not more than 100,000 QR. Such accused shall be deemed a repeater if he repeats a similar crime within one year from the completion of his sanction or its lapse by prescription.

Article 52

Every person violating the provisions of Articles 5/1, 6, 7, 8, 9 and 17/1 shall pay a penalty not exceeding QR 10,000.

Article 53

The penalties for any of the crimes mentioned in this Law may not cease.

Chapter Eight Conciliation

Article 54

The Minister or his nominee may make conciliation in the crimes specified on the conciliation schedule attached with this Law before the final judgment in the penal case, if the accused paid the amount specified on the schedule corresponding to his crime at such time determined by the competent authority.

If the accused refuses the conciliation or did not execute it, the penal case shall proceed.

Article 55

The employees of the competent authority shall assume executing the conciliation concerning the crimes provided in this Law, and the conciliation shall be presented to the accused and shall be registered in a minutes of meeting. The accused who wishes to make

conciliation shall pay the amount specified on the schedule against a waiver not to proceed in the penal case. The amount of conciliation shall be deposited in the treasury of the State or with one of its employees who are authorized to collect such amounts. The penal case shall end upon conciliation and such conciliation shall not revoke any right to collect the charges.

Article 56

The accused who committed any of the crimes provided in this Law may not leave the State, as the case maybe, before paying the amount specified for conciliation, or the issuance of a final judgment of innocence or executing his sentence. However, such accused may leave the State by a guarantee from a guarantor sponsor who shall undertake to pay the amount of the conciliation or his penalty upon its maturity.

As an exception to the provisions of the preceding Article, the Minister may order to revoke the residence permit of the expatriate accused by one of the crimes provided in this Law and to deport him from the State if he does not pay the amount specified for conciliation, or if the Court sentences such person to jail or orders such person to pay a penalty but such person did not comply.

Chapter Nine General Provisions

Article 57

Subject to not violating the provisions of the international agreements that the State is part of, the following categories shall be excluded from the provisions of this Law:

1. Foreign Presidents and their families and bodyguards.
2. Presidents and members of foreign diplomatic and consular missions and international organizations approved by the State, attaches and officers and their subordinates and the official delegations.
3. Ship masters, plane pilots of civil airlines and their staffs who holds passports or Travel Documents from the competent authorities of their countries after obtaining permission to land in the State.
4. Such persons who in the sole opinion of the Minister must be excluded for concerns related to the principle of reciprocity or to the comity of nations or the commonweal.

The Foreign Minister shall regulate, by a resolution issued by him, the events of granting the Visas of entry and the Residence permits and their exemption for the categories stated in clauses 1 and 2 of this Article.

Article 58

The Minister shall issue the executive regulation and the resolutions necessary for enforcing the provisions of this Law. However, the enforcement of the current regulations and orders shall remain valid provided that the same shall not contradict the provisions of this Law

until the issuance of its executive regulations and resolutions.

Article 59

Mentioned Laws No. 3 of 1963, 8 of 1983, 3 of 1984, 2 of 2006 and Decree by Law No. 20 of 1998 shall be revoked.

Article 60

All competent authorities shall, each in its competency, apply this Law and it shall be published in the Official Gazette.

Tamim Bin Hamad Al Thani, the Vice Emir of Qatar, February 26, 2009

Schedule of conciliation concerning the crimes related to the Law of regulating the entry and exit of the Expatriates, their Residence and their sponsorship.

Article No.	Conciliation amount
2, 3	QR 20,000
5/1	QR 30.00 per each day of delay and in maximum QR 6,000
6	QR 1,000
7/1	QR 2,000
8	QR 10,000
9/1-2	QR 10.00 per each day of delay and in maximum QR 6,000
9/3	QR 5,000
10/2	QR 200.00 per each day of delay and in maximum QR 20,000
11, 48	QR 6,000
15/1-5	QR 20,000
17/1	QR 10.00 per each day of delay and in maximum QR 3,600