

Law no. 4 of 2009 Regarding Regulation of the Expatriates Entry, Departure, Residence and Sponsorship 4 / 2009

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Reference: C.O. Issue. 3, Dated 29/03/2009, Page 29.

We, Tamim Bin Hamad Al-Thani, Crown Prince of Qatar,

Pursuant to the Constitution;

Law No. 3/ 1963 which regulates the Entry to and Residence in the State of Qatar by Expatriates as amended;

Law No. 8/ 1983 which relates to the offences in connection with the entry and residence of Expatriates in the State of Qatar as amended by Law No. 13/2003;

Law No. 3/1984 which regulates the sponsorship of expatriates, their residence and departure as amended by Law No. 21/ 2002;

Decree-law No. 20/1998 which determines the categories and rules for fees and penalties imposed by the Ministry of Interior and the fines payable for offences committed by Expatriates in connection with their entry to and residence in the State of Qatar and for which Composition can be conducted;

Law No. 2/2006 which regulates the entry to and residence in the State of Qatar by certain categories of people;

Part 1

Definitions

Article 1

In this Law, unless the context indicates otherwise:

“The Ministry”	means the Ministry of Interior
“The Minister”	means the Minister of Interior
“Competent Authority”	means the Directorate charged with the enforcement of the provisions of the present Law as delegated by the Minister charged with the enforcement of these provisions
“Expatriate”	means any person who enters the State of Qatar and who is not a Qatari national
“Visa”	means a permit allowing an Expatriate to enter the State of Qatar
“Entry or Exit Stamp”	A stamp in proof of the Expatriate's entry to or exit from the ports specified herein.
“Residence”	means a permit allowing an Expatriate to reside in the State of Qatar in accordance with the provisions specified by the present Law and the Executive Regulations and Decrees thereof.
“Residence Sponsor”	Means the employer, head of a household, or a visitor recruiter who acts as a sponsor, where sponsorship includes granting an exit permit for the sponsored person.
“Exit Sponsor”	The person who undertakes to fulfill all obligations incurred by a Expatriate prior to departure from the country, and whose liability expires on the exit of the said Expatriate from the country.
“Departure”	The Expatriate's departure from the country after the purpose for which he/she was permitted to enter and reside is over.
“Deportation”	Compulsory departure of an Expatriate from the State of Qatar upon the issue of an order.
“Order of Departure”	means an order compelling an Expatriate who has entered the country illegally to leave it.
“Travel Document”	means a document taking the place of a passport and issued by the competent authorities in the country of the holder or by any other recognized authority

Part 2

Entry to and Departure from the State of Qatar by Expatriates

Article 2

An Expatriate may not enter or leave the State of Qatar unless he holds a valid passport or travel document as well as an entry visa issued by the competent authority, stating the purpose of entry.

Article 3

An Expatriate may not enter or leave the country except through the entry ports specified by the Minister after having an entry or exit stamp affixed on his passport or travel document, or otherwise by any other mechanism determined by the Minister.

Article 4

An entry visa may not be granted to an Expatriate who was previously a resident in the State of Qatar for employment purposes until two years have elapsed from the date of departure. The Minister or his authorized representative may waive this period and the competent authority may, subject to a written approval from the ex sponsor, grant an exemption from the period so specified.

Article 5

Both the sponsor and Expatriate shall report to the competent authorities within seven days of the Expatriate's entry to the State of Qatar in order to comply with the formalities of the residence or business permit so issued.

The competent authority may permit the sponsor or Expatriate to authorize representative(s) to finalize the formalities stated in the preceding Paragraph.

Article 6

The Expatriate shall, during his residence in the State of Qatar, and when so required, submit to the competent authority a passport or travel document, including, but not limited to any data required by the competent authority before the expiry of the period specified therefore. In the event of a lost or damaged passport or travel document, the Expatriate shall immediately notify the competent authority and apply for a replacement in lieu of the lost or damaged passport or travel document.

Article 7

Ship masters, pilots, vehicle drivers and any other persons driving any other means of vehicular transport shall, upon arrival in the State of Qatar and before departure, submit to the competent authority a list of the names and personal details of their ship's, aircraft's or vehicle's crew and passengers. Passengers who are not in possession of passports, travel documents or entry visas shall not be allowed to travel aboard such aircraft, ship or any other means of transportation and in the case that they are carrying any such persons they shall detain them on the ship, aircraft or vehicle and shall notify the competent authority of the case. In all cases, a carrier in breach of this regulation shall at his own expense return any passenger who does not hold a passport, travel document or visa to the country he came from.

Article 8

Managers and /or persons in charge of hotels, and similar facilities, or deputies thereof shall provide information to the competent authority about such persons who were permitted to enter the State of Qatar under their supervision. In the event of such persons being absent from the place of residence for more than forty eight hours without leave, the competent authority shall be notified thereof within a period of not less than twenty four hours and the hotel in question shall be liable in the same manner that a sponsor would be liable. In such event, the hotel in question shall be deemed to be a sponsored person. In all cases, any person accommodating an Expatriate shall notify the security authority within which respective area of jurisdiction the hotel or accommodation facility is located of the name and address of the said Expatriate within twenty four hours of his arrival.

Part 3

Residence of the Expatriates in the State of Qatar

Article 9

Any Expatriate who is resident in the State of Qatar shall obtain a permit from the appropriate competent authority. The sponsor shall comply with the formalities for the required residence permit and the renewal thereof, provided that the application for renewal is made within a period that shall not exceed ninety days from the date of the expiry of the said permit. The sponsor shall deliver to the sponsored person his passport or travel document after finalizing the residence formalities or after applying for the renewal thereof.

Article 10

Any Expatriate who entered the State of Qatar for a visit, business activity or for an equivalent purpose shall be exempted for a period of no more than thirty days from the obligations set forth in Article 5 above. The said Expatriate may not stay in the country after the expiration of the period referred to in this Article except after the renewal of his permit or after obtaining a residence status.

Article 11

An Expatriate permitted to enter or reside in the country for a specific purpose or to work for a specific undertaking shall not deviate from the purpose for which he is permitted to enter or reside and shall leave the country within ninety days after such purpose or business is completed or otherwise in the case that the residence is cancelled for any reason whatsoever.

Article 12

Should any legal action be pending between a sponsor and an employee who is an Expatriate, the Minister or his appointed deputy may temporarily transfer the employee to another employer. The Minister or his appointed deputy may approve the transfer of the residence of an Expatriate employee who is not subject to the Labour Law to another employer in the case that the sponsor in question proves to be abusive or if public interest so requires. An employee who is subject to the Labour Law may on request, for the same reasons, subject to the approval of the Minister or his appointed deputy and the approval of the Ministry of Labour, have his residence transferred to another employer.

Article 13

An Expatriate who has been granted permission to reside in the country may not remain out of the country for more than six months continuously unless, before leaving or before one year has elapsed, he/she obtains a return permit from the competent authority on payment of the prescribed fees, provided no more than sixty days have elapsed since the expiration of his/her residence permit. The Minister or his appointed deputy may waive this period.

Article 14

Should an employee been terminated of the employment pursuant to the provisions of Article 61 of the Labor Law, the provisions of the laws governing the State personnel, or of any other law, and the employee decides not to appeal the decision before the court of jurisdiction or if such appeal is unsuccessful, he may not return to the country within four years from the date of departure.

Article 15

No natural or juristic person may allow expatriates recruited as employees to work for any other entities, nor may they employ staff who is not thus sponsored. The competent authority may, exceptionally, allow the sponsor to second its Expatriate employees to another employer for no more six months, with the arrangement renewable for a similar period. Subject to the written approval of his sponsor, the competent authority may allow such Expatriate to work on a part-time basis for a different employer at times other than the designated working hours of his original employer. In all cases, the approval of the Ministry of Labor must be sought for the categories subject to the provisions of the Labor Law. Permits may not be assigned for third parties nor may they be disposed of or circulated by third parties in any other way whatsoever, whether or not such assignment is against consideration.

Article 16

Residence permits are granted to the spouse of the residence holder, to male children up to the age of twenty-five who have not completed their university education, and to unmarried daughters.

The permit holder's parents may be granted residence permits at the discretion of the Minister or his appointed deputy.

Subject to the provisions of the two preceding paragraphs, the requirements in respect of the granting of residence permits shall be determined by ministerial resolution.

Article 17

A residence permit may be applied for within sixty days of the date of birth or the date of entering the Country in respect of a child born to an Expatriate whose family has obtained residence permits. If the child was born outside the country and one or both parents have a valid residence permit, the child shall be permitted to enter the country within two (2) years of its birth.

Part 4

Regulation of the Sponsorship of Expatriates

Article 18

Each Expatriate granted an entry visa to the State of Qatar shall have a sponsor. Save for women sponsored by the head of the family, minors and visitors staying thirty days or less, all Expatriates may only leave the country temporarily or permanently on submission of an exit permit granted by the residence sponsor. If such permit cannot be obtained due to the sponsor's refusal to grant, the sponsor's death, or his absence without assigning an agent to replace him, the Expatriate shall assign a departure sponsor, or present a certificate of no sentences being served or lawsuits from the court of jurisdiction after the lapse of fifteen days effective from the date of publishing once in two daily newspapers the expected date of the departure of the Expatriate pursuant to a Ministerial Decision in accordance with the procedures and regulations

Article 19

The residence sponsor, whether a natural or legal person, shall satisfy the following requirements:

1. to be a Qatari national or an Expatriate resident under the law, and if the sponsor is a legal person, it must have a main office located within the State of Qatar or operate a branch therein;
 2. to be qualified to fulfill the responsibilities consequent on sponsorship imposed hereby, and to employ and supervise the Expatriate if he enters the country as an employee.
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Article 20

The residence sponsor or departure sponsor may not be liable to pay any sums of money nor be responsible for any obligations in excess of the debt owed by the sponsored Expatriate nor under terms and conditions more severe than those of the debt guaranteed

Article 21

Responsibility for sponsorship of the Expatriate shall be determined as follows:

1. The Expatriate shall only be sponsored by the employer;
 2. The head of the family shall be the sponsor of family members resident with him in the State;
 3. A visitor shall be sponsored by his host resident in the State of Qatar;
 4. A woman shall be sponsored by the person supporting her with whom she has come to reside, even if she subsequently takes up employment, and a woman who enters the State of Qatar for employment purposes may bring her husband with her in accordance with the requirements determined by ministerial resolution; and
 5. A Qatari woman married to a non-Qatari may, subject to the approval of the competent authority, introduce her husband and children under her own personal sponsorship.
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Article 22

The competent authority may transfer the sponsorship of an employee who is an Expatriate to another employer under a written agreement between the new and former employers and with the approval of the competent authority of the Ministry of Labour, taking account of the categories subject to the provisions of the Labour Law. Where sponsorship is transferred, the new sponsor shall replace the former sponsor as regards all obligations. The sponsorship of the former sponsor shall expire and he shall be held harmless with respect to the obligations resulting therefrom.

Article 23

The residence sponsor shall be liable for any obligations due by his sponsored Expatriate if he is notified of such obligations and accepted thereof in writing and where the sponsored Expatriate owns no explicit property wherefrom such obligations can be fulfilled.

Article 24

The residence sponsor shall:

1. Repatriate his sponsored Expatriate after the expiry or cancellation of his residence permit or when an order to repatriate him is issued. If the Expatriate refrains from departure in the aforementioned cases, the sponsor shall notify the competent authority to repatriate thereof along with paying the relevant expenses, and the sponsor shall not be obliged to pay the repatriation expenses of his sponsored Expatriate if the latter is not subject to the Labor law after the lapse of thirty days effective the date of reporting his escape. In all cases, whoever employs any Expatriate without sponsoring thereof in breach of the provisions hereof shall pay the repatriation expenses in addition to the prescribed penalty; and
 2. Bear the expenses of preparing a deceased sponsored Expatriate employee for burial in the graveyards designated for this purpose within the State of Qatar irrespective of the cause of death. Should any heirs of the naturally deceased person or any other entity require the body to be moved outside the State, the sponsor shall bear the costs of transporting it to the deceased's country of origin or permanent residence. The Ministry may oblige the sponsor of an employee subject to Labour Law to submit a bank guarantee, the terms and conditions of which shall be determined by a resolution to be issued by the Minister in order to guarantee payment of any obligations towards the Ministry and the sponsored Expatriate.
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Article 25

If the sponsor is a civil servant and is in breach of his obligations towards the sponsored Expatriate, the Ministry may collect the repatriation expenses from the sponsor's salary and entitlements by arrangement with his employer.

Article 26

The departure permit shall be signed by the residence sponsor or his agent before the competent authority and the signature of the sponsor or his agent shall be identical to the signature archived by the said authority and such signature shall be deemed legal by the competent notarizing authority. In the case that the departure sponsor is different from the residence sponsor, the former shall, for his sponsorship to be acceptable, sign the departure permit before the competent authority.

Article 27

Subject to the provisions of Article 23 above, a creditor may only have sole recourse for his debt to the sponsor after having had recourse to the sponsored debtor, and may not collect his debt from the sponsor's property except after discussing the sponsored Expatriate, unless the sponsor is jointly liable with the sponsored debtor for the debt. In all cases, the sponsor shall adhere to his benefit of discussion and to the invalidity of collecting the debt from his property except after recourse to the sponsored debtor, otherwise he shall be deemed to have waived his right thereto.

Article 28

To accept plea for the discussion of the sponsored debtor, the sponsor is required not to explicitly or implicitly waive thereof and not to be jointly liable with the sponsored debtor. The sponsor shall, at his own expense, guide the creditor to any property that may be owned by the sponsored debtor, provided such property is attachable, undisputed and exist within the State.

Article 29

Plea for discussion during trial in the legal action of claiming the sponsor to pay the guaranteed debt shall not suspend proceeding therewith. Rather, the court shall consider the action and adjudicate in the merits thereof subject to stating in the pronouncement of its verdict the invalidity of collecting the debt by virtue of such verdict from the sponsor's property except after starting to collect thereof from the sponsored debtor's property if any and discussing him wherefrom.

Article 30

The sponsor may adhere to all the defenses that may be invoked by the debtor. However, if the defense invoked by the sponsored debtor is his lack of capacity and the sponsor is aware thereof upon concluding the relevant contract, he may not invoke such a defense.

Article 31

In all cases where the sponsor reports on the property of his sponsored debtor, the sponsor shall be held harmless pro rata the property collected by the creditor out of such property as well as pro rata what the creditor failed to collect out of such property due to his failure to pursue the necessary procedures within the appropriate time.

Article 32

The sponsor shall be held harmless if the creditor accepts anything other than money in payment for the sponsored debtor's debt.

Article 33

When the debt is paid, the creditor shall deliver to the sponsor the relevant documentation to enable him exercise his right of recourse to the original debtor, and if such debt is guaranteed against pledged or endowed movable property, the creditor shall waive his rights or transfer them to the sponsor. Where the debt is guaranteed against a real security, the creditor shall pursue the relevant procedures to transfer such security to the sponsor, shall bear the expenses involved therein, and may have recourse to the sponsored debtor in respect thereof

Article 34

In case the sponsor paid the whole or part of the debt, he shall replace the creditor in respect of the obligation in question pro rata the amount he paid and may recourse therewith to the sponsored debtor.

Article 35

Sponsorship shall expire by the abatement of the principal obligation for any reason of abatement whatsoever.

Article 36

Subject to the provisions of the preceding Article, the sponsor shall not be liable in following cases:

1. where the debt of his indebted sponsored Expatriate is discharged;
 2. to the extent that collateral or securities allocated for the payment of a debt are lost by a creditor through his own fault even if such collateral or securities were determined after sponsorship, and to the extent of the value of the lost security or collateral at the value of the amount he was indebted with;
 3. if the creditor has failed to claim the debt from the sponsored debtor;
 4. if the creditor has failed to claim the debt falling due from the sponsored debtor within fifteen days from the date the sponsor reports the date of departure of the Expatriate sponsored debtor and invites creditors to claim their debts, provided such report is published once in two daily newspapers, and the duration being calculated from the day following the date of publication.
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Part 5

Deportation, Order of Departure and Repatriation

Article 37

Notwithstanding the provisions of any other Law, the Minister may issue an order to repatriate any expatriate whose presence in the State of Qatar is a threat to its internal or external security and safety or is otherwise detrimental to the national economy, public health or public order.

Article 38

The Minister may, when necessary, arrest an expatriate in respect of whom a court has issued a verdict of deportation or repatriation for a thirty-day period renewable for a similar period(s).

Article 39

If a court verdict of deportation, departure or repatriation has been issued but is difficult to enforce, the Minister may, in lieu of arrest, require the Expatriate to stay in a certain place for a two-week period renewable for a similar period(s). The Expatriate in question shall report to the security department, where the said place is located, at the times stated in the order issued in respect thereof, up to the time that he/she is deported or repatriated.

Article 40

An Expatriate in respect of whom a verdict of deportation, departure or repatriation has been delivered by the court, may not return to the State of Qatar except by ministerial resolution.

Article 41

Expatriates who fail to obtain a residence permit or whose permit has expired shall leave the country. They may return if they satisfy the entry requirements specified in these provisions.

Article 42

Subject to the provision of an acceptable guarantee, a renewable period of grace of no more than ninety days may be granted by the Minister or his appointed deputy to an Expatriate under order of deportation or departure who possesses interests that require a period of time to settle.

Part 6

Entry and Residence of Certain Categories

Article 43

Notwithstanding the provision of Article 18, the Minister may issue visas and grant residence permits without a sponsor for the following categories of person:

1. investors, subject to the provisions of Law No. 13 of 2000: Regulating the Investment of Non-Qatari Capital in the Economy;
 2. owners and beneficiaries of real property or residence units; and
 3. any other categories identified by a resolution of the Council of Ministers.
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Article 44

The granting of residence permits to the categories referred to in the preceding Article is subject to the applicant's satisfying the following requirements:

1. to submit documents in support of the application;
 2. to be of good repute and well-mannered; and
 3. to pass the prescribed medical examination in accordance with the appropriate system.
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Article 45

Residence permits shall be valid for five years renewable for a similar period(s).

Article 46

Residence, without any requirement related to employment, may be granted to the spouse, children and parents of the residence permit holder.

Article 47

The residence permit holder may leave the country during the validity of the residence permit without a permit or authorization.

Article 48

The residence permit holder may not deviate from the purpose for which his residence permit was issued except on the permission of the competent authority.

Article 49

Where the residence permit has expired or its renewal has been refused, the Minister or his appointed deputy may grant the residence permit holder and his family members a period of grace within which to leave the country of no more than ninety days from the expiry date of the residence permit or the date that renewal was refused.

Article 50

The residence permit granted to a person shall be cancelled in the following cases:

1. if it is proved that it was obtained on the basis of false information or documents; or
 2. if the holder's residence in the country threatens the internal or external security and safety of the State or is detrimental to the national economy, public health or public order; or
 3. if, without permission from the competent authority, the holder deviates from the purpose for which the residence permit was issued.
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Part 7

Penalties

Article 51

In case of recidivism, an imprisonment of no less than fifteen days and no more than three years shall be rendered and a fine of no less than twenty thousand Qatari Riyals and no more hundred thousand Qatari Riyals shall be imposed, and the convict shall be deemed a recidivist if he commits a similar crime within one year of the date the punishment rendered against him is over or the forfeiture thereof by the lapse of duration thereof.

A penalty of not more than three years' imprisonment and/or a fine of not more than fifty Qatari Riyals shall be incurred by any person who is in breach of any provision of Articles 2, 3, 10/Paragraph 2, 11, 15/Paragraphs 1 and 5, 39/ Paragraph 2 and 48 of these regulations. In the case of re-offending, a penalty of not less than fifteen days' and not more than three years' imprisonment shall be imposed and a fine of not less than twenty thousand Qatari Riyals and not more than a hundred thousand Qatari Riyals shall be imposed, and the defendant shall be deemed a recidivist if he commits a similar crime within one year of the end of the term of imprisonment or due to the lapse of time.

Article 52

A fine of not more than ten thousand Qatari Riyals shall be incurred by anyone who is in breach of any provision of Articles 5/ Paragraph 1, 6, 7, 8, 9 and 17/ Paragraph 1.

Article 53

The fine penalty rendered with respect to any of the offences set forth herein may not be suspended.

Part 8

Compounding

Article 54

Before a final verdict is rendered in a criminal action, the Minister or his appointed deputy may conduct compounding in offences in return for payment by the convict relevant to the offence ascribed as prescribed in the Schedule of Compounding enclosed herewith, by the deadline to be determined by the competent authority. If the convict refused compounding or failed to carry out thereof, the criminal action shall be proceeded with.

Article 55

The officials of the competent authorities shall conduct the compounding process in the offences set forth herein, and the convict shall be proposed compounding, which shall be noted in a relevant minutes. If the convict is favor of compounding, he shall pay the prescribed amount in the relevant Schedule in return for waiver of proceeding with the criminal legal action, and such amount shall be deposited with the Ministry treasury or with any of its staff licensed to collect such amounts. Meanwhile, the legal action shall forfeit by compounding and compounding shall not render forfeited the right to collecting the prescribed fees.

Article 56

No person convicted of any of the offences set forth herein may leave from the country before paying the amount specified for compounding or otherwise a final verdict is passed in the legal action either with innocence or enforcing the punishment rendered in respect thereof as the case may be. However, such person may be permitted to depart from the country under the guarantee of a guarantor who acknowledges paying the amount prescribed for compounding or the fine he is decided in respect thereof when it falls due.

Notwithstanding provisions of the preceding Paragraph, the Minister may order cancelling the residence permit of the Expatriate convicted with any of the crimes set forth herein and deporting thereof if he fails to pay the amount prescribed for compounding or otherwise of the court rendered him to jail or otherwise imposed a fine thereupon and he fails to pay the same.

Part 9

General provisions

Article 57

Without prejudice to the provisions of the international agreements whereto the State is party, the following categories of person shall be excluded from the application of these provisions:

1. Presidents of foreign countries, members of their family and accompanying staff;
2. Heads and members of diplomatic missions, foreign consulates and international organizations approved by the State, attachés, administrative staff and their families, their subordinates and formal delegations;
3. Masters of civilian ships, aircraft pilots and crew entering the State carrying passports or travel documents from the State competent authorities after obtaining entry permits, and
4. Any person the Minister deems fit to exclude for reasons of reciprocity or compliment or in the public interest. The Minister of Foreign Affairs shall, by

issuing a resolution, determine the conditions on which entry visas and residence permits or exemption therefrom shall be issued with regard to the categories stated in Items 1 and 2 of this Article.

Article 58

The Minister shall issue the Executive Regulations and relevant resolutions for the enforcement thereof, and the regulations and resolutions currently applicable shall remain in force without conflicting with the provisions hereof until the Executive Regulations and relevant resolutions are issued.

Article 59

Laws No. 3 of 1963, 8 of 1983, 3 of 1984, 2 of 2006 as well as Decree-law No. 20 of 1998 referred to above shall be repealed.

Article 60

All competent authorities, each within its own competence, shall implement the present Law which shall be published in the official *Gazette*.

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