

AL SULAITI LAW FIRM

السليطي للمحاماة والاستشارات القانونية



QATAR

REAL ESTATE LAWS



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ABOUT US

“BRIDGING LEGAL TRADITIONS”

IN 2002, MR. MUBARAK BIN ABDULLAH AL-SULAITI LAID THE ESTABLISHMENT STONE FOR AL SULAITI LAW FIRM

Al Sulaiti law firm is a full service renowned Qatari Law Firm, providing cutting edge legal services and solutions to local, national and International clients. Al Sulaiti law firm's main specialty is Middle East laws; it is operating through its qualified lawyers from different legal systems to ensure that it provides clients with the most sufficient legal service not only in the State of Qatar but also across the MENA and Europe region. We have professional bonds with law firms in Italy, France, USA, Kuwait, Lebanon, Egypt, South Africa, Turkey, India and many more. Our global outreach enables us to provide the finest legal services to our clients.

We specialize in sectors that include Civil & Criminal Litigation, Alternative Dispute Resolution, Corporate/Commercial Law, Mergers and Acquisitions, Private Equity, Real Estate and Construction, Sports Law, Environmental Law, International Trade Law, Intellectual Property, Financial Fraud and Taxation.

Our regional footprint means that wherever our clients are doing business in the region, we are there to support them. Our expansion has been strategic and client driven. Our values define who we are and what is important to us. As a firm, we have grown based on a set of core values, which are integral to all that we do.

At Al Sulaiti Law Firm we believe in the power of teamwork, of being 'One firm', collegiality, communication and solidarity. Being focused on having an amicable relationship with our clients is an integral part of our performance; this permits us to build a strong bond with the client enabling us to perform at better and higher standards. One of our core aims is to constantly exceed our client's expectations. At Al Sulaiti Law Firm we are always committed to delivering the best quality of service across all of our practice areas to all of our respected clients, both existing and potential.

OUR GLOBAL NETWORK

Al Sulaiti Law Firm has an expanded global network around the world, including networks in the Middle East, North and South America, Africa, Europe and Asia. Our reputation for excellence and regional experience extends beyond our network of offices and connections around the globe.



FOREWORD FROM CHAIRMAN

Welcome to Al Sulaiti Law Firm

In our relentless pursuit of growth and business development, I am pleased and honored to confirm the success of the Sulaiti Law Firm in implementing a ten-year plan to maintain the rate of progress and business growth. Such success is due to our ability in recruiting qualified lawyers and legal advisers to our team. Since we are a Qatari law firm with a regional reach and a global outlook, we adopt effective policies aimed at diversifying the scope of work and is based on recruiting the best talented lawyers and professional legal advisors to enable us to provide a global level of Legal services.

Our market-leading real estate practice provides a comprehensive range of commercial real estate services across the entire Middle East and Global region. We provide sound commercial advice on all issues relevant to real estate matters.

Our capable team is combined of regional and western qualifications and in-depth knowledge of government institutions, local laws, regulations and their application, together with technical and legal expertise and best practice. Our team is comprised of lawyers that speak both English and Arabic in addition to French and Italian and we are placed to navigate our clients through all their real estate requirements.

With unrivalled depth and breadth of expertise, we can provide you unparalleled legal and commercial support as you set up your business or real estate investment.



Mubarak A. Al Sulaiti
Chairman





LATEST REAL ESTATE LAWS PERTAINING TO QATAR IN 2019

- Qatar Law No. 16 of 2018: On Non-Qatari Ownership and Use of Real Estate

- Qatar Cabinet Decision No. 8 of 2019: On the Formation of A Committee to Regulate Ownership and Usufruct of Real Estate Properties by Non-Qataris.

- Qatar Cabinet Decision No. 20 of 2004: Conditions and Controls of the Ownership of Real Estate and Residential Units by Non-Qataris.





Law No. 16 of 2018 On Non-Qatari Ownership and Use of Real Estate

Abrogating

Law no. 1963/5

dated 1963/02/16

Law no. 2002/2

dated 2002/03/31

Law no. 2004/17

dated 2004/06/06

We, Tamim bin Hamad Al-Thani, Emir of the State of Qatar,

After perusal of the Constitution,

Law no. (5) of 1963 on the Inadmissibility of Acquisition of Immovable Property by Foreigners in Qatar;

Law no. (14) of 1964 on Real Estate Registration, and its amending laws;

Law no. (1) of 1980 on the Regulation of Ownership by Foreign Missions of Real Estate in Qatar;

Law no. (13) of 2000 regulating the Investment of Non-Qatari Capital in the Economic Activity, and its amending laws;

Law no. (2) of 2002 on the Regulation of Real Estate Ownership by GCC Nationals, as amended by the Law no. (25) of 2008;

Law no. (25) of 2002 on Investment Funds;

Law no. (17) of 2004 on the Regulation of Ownership and Use of Real Estate and Residential Units by Non-Qataris;

Commercial Companies Law, promulgated by Law no. (11) of 2015;

The draft Law submitted by the Council of Ministers;

And after taking the opinion of the Shura Council,

Decided the following Law:

Article 1

In application of the provisions of this Law, the following terms shall have the meanings stated beside them, unless the context requires otherwise:

Ministry: Ministry of Justice.

Minister: Minister of Justice.

Committee: Committee for the regulation of the non-Qatari ownership and use of Real Estate, set forth in Article (3) hereof.

Real Estate: Empty lands, buildings, facilities, residential units and detached units in residential complexes.

Article 2

Non-Qataris may own and use Real Estate in the regions, according to the conditions, rules, privileges and procedures determined by a Council of Ministers' Decision, upon the suggestion of the Committee.

In all events, the usufruct granted to non-Qataris shall not cease upon his death and shall be transferred to his heirs, unless both parties agree otherwise.

Article 3

A Committee shall be established at the Ministry under the name "Committee for the Regulation of the Non-Qatari Ownership and Use of Real Estate".

The entities represented in the Committee's membership, the Committee's rules of procedure, duration of membership, procedures followed thereat, method of issuance of its decisions and recommendations, as well as the remuneration of its members, shall be determined by a Council of Ministers' Decision.

Each entity shall select a representative in the Committee and a Decision shall be issued by the Minister nominating the President, Vice-President and members of the Committee.

The Secretariat of the Committee shall be carried out by one or more of the Ministry's employees, whose appointment and determination of the competencies and remuneration are stated in a Decision issued by the Minister.

Article 4

The Committee shall:

- 1 - Suggest the regions in which non-Qataris are allowed to own and use Real Estate.
 - 2 - Suggest the conditions and rules of non-Qatari ownership and use of Real Estate.
 - 3 - Suggest the privileges, incentives and facilities granted to the non-Qatari owners and users of the Real Estate.
 - 4 - Suggest the fees of the services offered in the regions determined by the Council of Ministers.
 - 5 - Any other competencies stated in a Council of Ministers' Decision.
- The Committee shall submit its suggestions to the Minister to be presented to the Council of Ministers.

Article 5

The Council of Ministers shall issue the decisions necessary for the implementation of the provisions of this Law.

Article 6

The above-mentioned Laws no. (5) of 2 ,1963) of 2002 and (17) of 2004 shall be abrogated. The provisions and decisions regulating the Real Estate ownership by GCC nationals, and regulating the ownership and use of Real Estate and residential units by non-Qataris, shall continue to be applied without contradicting the provisions of this Law, until issuance of the Council of Ministers' decision set forth in Article (2) hereof.

Article 7

All competent authorities shall implement this Law, each within its own competence and it shall be published in the Official Gazette.

Issued in the Emiri Diwan
On 1440/02/21 H.
Corresponding to 2018/10/30
Tamim bin Hamad Al-Thani
Emir of the State of Qatar

Qatar Cabinet Decision No. 8 of 2019 On the Formation of A Committee to Regulate Ownership and Usufruct of Real Estate Properties by Non-Qataris

The Cabinet,

Pursuant to the perusal of the Constitution;

Law No. (16) of 2018 regulating the ownership and usufruct of real estate properties by non Qataris;

Emiri Decision No. (29) of 1996 on the Cabinet Decisions submitted to the Emir for ratification and issuance;

Cabinet Decision No. (9) of 1993 on the organisation of works of joint and specialized committees and the decisions amending it,

Has issued the following Decision:

Article 1

The Committee Regulating the Ownership and Usufruct of Real Estate Properties by Non-Qataris shall be formed of two representatives of the Ministry of Justice, one of whom shall be the Chairman of the Committee, the other a Vice-Chairman and members consisting of a representative of each of the following entities:

- 1 Prime Minister Office
- 2 Ministry of the Interior
- 3. Ministry of Finance
- 4 Ministry of Municipality and Environment
- 5 Ministry of Commerce and Industry
- 6 National Tourism Council
- 7 Qatar Central Bank
- 8 Planning and Statistics Authority
- 9 Qatar Chamber of Commerce and Industry.

Each party shall select its representative in the membership of the Committee. A decision of the Minister of Justice shall be issued to nominate the Chairman, Vice-Chairman and members of the Committee.

The Vice-Chairman shall replace the Chairman in his absence or in the event of vacancy of his office.

The secretariat of the Committee shall be assumed by one or more officials of the Ministry of Justice, who shall be delegated and whose competencies and remuneration shall be determined by a decision of the Minister of Justice.

Article 2

The term of office of the Committee shall be of three years renewable for one or more similar periods.

Article 3

The Committee shall convene at the invitation of its Chairman once a month and whenever necessary. It shall hold its meetings outside official working hours and may convene when necessary during official working hours.

The meetings of the Committee shall be valid only in the presence of a majority of its members, provided that they include the Chairman or the Vice-Chairman. The Committee shall issue its decisions and recommendations by a majority vote of the members present. Upon equality of votes, the chairman shall have the casting vote.

The Committee shall submit its recommendations to the Minister of Justice.

Article 4

The Committee may request the data or documents it deems necessary from the ministries, public authorities, institutions or other governmental bodies, and may invite to its meetings any employees of said authorities or others who are competent and experienced in its field of work, to provide the advice, data or explanations it needs, without them having the right to vote.

Ministries, public authorities, institutions and other governmental bodies shall provide the Committee with such data or information as it may be required for the performance of its work.

Article 5

The Committee may form among its members or other technicians in its fields of competence sub-committees or working groups, or assign one of its members to study any of the topics falling within its competencies, and may seek the assistance of any of the experts to prepare studies or provide the necessary consultations to perform its work.

Article 6

A record shall be drawn up for each meeting of the Committee wherein the Committee's works, recommendations and members' reservations, if any, shall be written down. Such record shall be signed by each of the Chairman of the Committee, the Vice-Chairman, the members present and the secretary.

The Committee may use modern electronic means in drawing up the minutes of its meetings and correspondences.

Article 7

The deliberations, recommendations, reports, statements and information obtained by the Committee on the occasion of its work shall be confidential, and its members and staff shall be prohibited from disclosing such data or information.

Article 8

The Committee shall submit a periodic report to the Minister of Justice every six months on the results of its work, and whenever requested, along with its suggestions and recommendations. The Minister shall submit the report to the Council of Ministers along with his views.

Article 9

The Chairman of the Committee shall receive a monthly remuneration of QAR (5000) five thousand, and the Vice-President shall receive a monthly remuneration of QAR (4500) four thousand five hundred, and each member of the Committee shall receive a monthly remuneration of QAR (4000) four thousand. The provisions of Cabinet Decision No. (9) of 1993 referred to above shall apply to such remunerations.

Article 10

All competent entities, each within its scope of competence, shall implement the present Decision. It shall come into force from the date of its issuance and shall be published in the Official Gazette.

Issued in the Emiri Diwan

On 1440/6/23 H.

Corresponding to 2019/02/28

Abdullah bin Nasser bin Khalifa Al Thani

Prime Minister

We hereby ratify and issue the present Decision

Tamim bin Hamad Al Thani

Emir of the State of Qatar

Qatar Cabinet Decision No. 20 of 2004 Conditions and Controls of the Ownership of Real Estate and Residential Units by Non-Qataris

The Cabinet,

After perusal of the Temporary Amended Constitution, and namely Articles 33 and 34 thereof, and;
Qatar Law No. 2004/17, on the organization of non-Qataris ownership and use of real estate and residential units, and in particular Article 3 thereof;

And Qatar Emiri Decision No. 1996/29 on the Cabinet Decisions referred to the Emir for Ratification and Issuance;

Decided the following:

Article 1

Non-Qataris may own land, buildings and residential units, in the following zones:

1 - The Pearl-Qatar.

2 - West Bay Lagoon project.

3 - Al Khor Resorts Project.

Within the borders as demonstrated in the regulatory and cadastral maps attached to this decision.

Article 2

The owners shall reserve the right to dispose of and exploit land, buildings and residential units in the three zones referred to in the previous article, in accordance with the provisions of the applicable laws.

Article 3

Anyone wishing to acquire or dispose of land, buildings and residential units referred to shall submit their applications to the zone, on the form prepared for that purpose and the management of the zone after coordination with The Department of Real Estate Registration and Certification of the Ministry of Justice, shall issue a decision on such requests within one week from the date of submission.

Article 4

The Department of Real Estate Registration and Certification shall not accept any requests relating to the registration of ownership of land, buildings and residential units, or transfer of ownership thereof in any of the three zones mentioned, except through the Administration of the Zone, in accordance with the procedures set forth in this resolution.

Article 5

The Administration of each of the three zones referred to, shall keep a register to record actions pertaining to the land, buildings, and residential units, and shall notify the Department of Real Estate Registration and Certification of these actions, and any changes to the data recorded in this register.

Article 6

All competent authorities, each within its own jurisdiction, shall implement this decision. This decision shall come into force from the date of its issuance and it shall be published in the Official Gazette.

Issued at the Emiri Diwan
On 12 Jumada Al-Awwal 1425 H
Corresponding to 2004/06/30
Abdullah Bin Khalifa Al Thani
Prime Minister

We Endorse this Decision and it shall be Promulgated
Hamad Bin Khalifa Al Thani
Prince of the State of Qatar

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