

# Constitution of Qatar

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## Chapter Three: The Legislative Authority

### Article 76

Al-Shoura Council shall assume the legislative authority, approve the general policy of the Government, the budget, and it shall exercise control over the executive authority as specified in this Constitution.

### Article 77

Al-Shoura Council shall consist of forty-five Members thirty of whom shall be elected by direct, general secret ballot; and the Emir shall appoint the remaining fifteen Members from amongst the Ministers or any other persons. The term of service of the appointed Members in Al-Shoura Council shall expire when these Members resign their seats or are relieved from their posts.

### Article 78

The system of election shall be determined by law in which the conditions and procedure of nomination and election are specified.

### Article 79

The electoral constituencies into which the State is divided and the districts thereof shall be determined by a decree.

### Article 80

The member of Al-Shoura council should fulfill the following conditions:

1. To be a holder of an original Qatari nationality;
2. His age shall not be less than thirty calendar years at the closing date of nomination;
3. To be good in reading and writing Arabic;

4. Not to have been convicted by a competent court of law for an offense involving moral turpitude or dishonesty unless rehabilitated in accordance with the law; and 5. Eligible to vote as determined in the elections law.

#### Article 81

The term of Al-Shoura Council shall be four calendar years commencing from the date of the first meeting; and the elections of the new Council shall be conducted during the last ninety days of the aforementioned term. The Member whose term of service expires may be re-elected; and where the elections are not held at the expiry of the term of the Council or delayed for any reason whatsoever, the term of the Council shall remain intact until a new Council is elected. The legislative term shall not be extended save for necessity and by decree provided that the said extension shall not exceed the period of one legislative term.

#### Article 82

The law shall determine the competent Judicial Authority that shall decide on the validity of the Members' election of Al-Shoura Council.

#### Article 83

Where for any reason a seat of one of the elected Members of Al-Shoura Council falls vacant at least six months before the term of the Council expires, a successor shall be elected within two months from the date of notification of such vacancy. Where, on the other hand, a seat of an appointed Member falls vacant, a new Member shall be appointed to fill the vacancy. In both cases, the new Member shall complete the term of his predecessor.

#### Article 84

The annual term of session of the Council shall at least be eight months and the Council may not be allowed to adjourn the session until the budget of the State is approved.

#### Article 85

Al-Shoura Council shall commence its annual ordinary session upon convocation by the Emir within the month of October every year.

#### Article 86

Notwithstanding the preceding two articles, the Emir shall call the Council for the first meeting following the general elections of the Council within one month of the end of election. Where the convening of the Council is delayed during this term from the date prescribed by the preceding article, then the duration of the term of the Council shall be reduced by the time difference between the two fore-mentioned dates.

#### Article 87

The Emir or his nominated representative shall open the annual term of the session of Al-Shoura Council and give a comprehensive speech in which he addresses the affairs of the State.

#### Article 88

In the case of necessity, the Emir shall, by a decree, or upon a request by a majority of the Members of the Council call Al-Shoura Council to an extraordinary meeting. In case of an extraordinary session, the Council shall not look into matters other than those for which the Council is convoked.

#### Article 89

Summoning and adjourning the ordinary and extraordinary sessions of the Council shall be by decree.

#### Article 90

The Emir may by a decree postpone the meeting of Al-Shoura Council for a period of time not exceeding one month; and the postponement of the meeting of Al-Shoura Council shall not be repeated during one term save by the approval of the Council and for one period and such period shall not be considered as part of the term of the session.

#### Article 91

The Council shall hold its meetings in its seat in Doha City; however, the Emir may call the Council to convene in any other place.

#### Article 92

Prior to the discharge of their duties before Al-Shoura Council and in an open session, the Members shall take the following oath:

(I swear by the Almighty God to be loyal to the country and to the Emir, respect Sharia law, the Constitution and the law, and safeguard the interests of the people and perform my duties with honesty

and integrity).

#### Article 93

The Council shall in its first convening and for the duration of its term of session elect a Speaker and Deputy Speaker from amongst the Members. In the event of vacancy of office of either of them, the Council shall elect to replace either of them for the rest of the duration of the term of Council. The election shall be by secret ballot and by absolute majority of the votes of attending Members; and should such majority not be attained on the first vote, a second vote shall be taken between the two Members who obtained the highest number of votes of attending Members. Where there is a tie between the second of the two who obtained the most votes and another candidate, this other candidate shall run for the second voting and in such case the election shall be determined by relative majority. In the event that more than one candidate obtains equal votes, a lot is cast. The session shall be chaired by the most senior Member until the Speaker is elected.

#### Article 94

The Council shall set up from amongst its Members, within two weeks from the commencement of its annual term of session, committees as may be necessary for the performance of its functions. Such committees may discharge their functions during the recess of the Council in preparation for submission of the outcomes of their work to the Council at the beginning of the following term of session.

#### Article 95

The Council shall have a bureau consisting of the Speaker, his deputy and chairs of committees, and it shall have a general secretariat to assist the Council in the discharge of its functions.

#### Article 96

Maintaining order in the Council shall be the function of the Speaker.

#### Article 97

Al-Shoura Council shall make its internal regulations comprising its internal order and the conduct of its business, the work of committees, organization of sessions, rules of proceedings, voting and all functions stipulated in this Constitution. The regulations shall determine the disciplinary penalties for the Members' violation of order or failure to attend sessions of the Council or committees without acceptable reason; and the aforementioned regulations shall be issued by law.

#### Article 98

Sittings of the Council shall be public, and they may also be held in camera upon a request of one third of the Members of the Council or upon a request from the Council of Ministers.

#### Article 99

For the sessions of the Council to be quorum, the majority of the Members must be present provided that the Speaker or his Deputy is present. In the event that quorum is not attained, the session shall be adjourned to the next sitting.

#### Article 100

The resolutions of the Council shall be passed by absolute majority of the attending Members save in cases that require special majority; and in case the votes are equal, the Speaker shall have casting vote.

#### Article 101

The membership of the Council expires by reason of:

1. Death or total disability;
2. Expiration of term of membership;
3. Resignation;
4. Removal from office;
5. Dissolution of the Council.

#### Article 102

The resignation of a Member shall be made in writing to the Speaker. The Speaker shall submit the resignation to the Council to decide its acceptance or refusal. The internal regulations shall specify the rules pertaining to this matter.

#### Article 103

No member may be removed from the Council unless he loses confidence and esteem, or becomes disqualified for lacking one of conditions of the membership on the basis of which he was elected, or is in breach of the duties of membership. The resolution of removal from the Council shall be taken by a two-thirds majority of the Members of the Council.

#### Article 104

The Emir may dissolve the Council by a decree in which the reasons for the dissolution shall be stated; however, the Council shall not be dissolved twice for the same reasons. Where the Council is dissolved, the elections of the new Council shall take place within a period not exceeding six months as of the date of dissolution.

Until a new Council is elected, the Emir with the assistance of the Council of Ministers shall assume the power of legislation.

#### Article 105

1. Every Member of the Council shall have the right to propose bills; and every proposal shall be referred to the relevant committee in the Council for study, making recommendation and submission to the Council. If the Council accepts the proposal, the same shall be referred in draft form to the Government for study and opinion. Such a draft shall be returned to the Council during the same or the following term of session.

2. Any bill rejected by the Council may not be re-introduced during the same term of session.

#### Article 106

1. Any draft law passed by the Council shall be referred to the Emir for ratification.

2. If the Emir, declines to approve the draft law, he shall return it along with the reasons for such declination to the Council within a period of three months from the date of referral.

3. In the event that a draft law is returned to the Council within the period specified in the preceding paragraph and the Council passes the same once more with a two-thirds majority of all its Members, the Emir shall ratify and promulgate it. The Emir may in compelling circumstances order the suspension of this law for the period that he deems necessary to serve the higher interests of the country. If, however, the draft law is not passed by a two-thirds majority, it shall not be reconsidered within the same term of session.

#### Article 107

The general draft budget shall be submitted to Al-Shoura Council at least two months from the commencement of the fiscal year and it shall not be in force unless the Council approves it. Al-Shoura Council may with the approval of the Government make amendments to the draft budget; and in case that the draft budget is not passed before the start of fiscal year, the previous budget continues to be effective until the new budget is passed.

The law shall define the method of preparing the budget is prepared and specify the fiscal year.

#### Article 108

Al-Shoura Council shall have the right to express to the Government its interest in public matters. If the Government is unable to comply with such interest, it must give to the Council the reasons for that. The Council may comment but once on the statement of the Government.

#### Article 109

Every Member of Al-Shoura Council may address a point of clarification to the Prime Minister and to any of the Ministers pertaining to matters within their jurisdiction; and only the person who raised the question has the right to comment but once on the response.

#### Article 110

Every Member of Al-Shoura Council may address an interpellation to Ministers on matters within their jurisdiction. An interpellation may not be made unless it is agreed on by one third of the Members of the Council. Such interpellation may not be discussed before a period of at least ten days from the date of submission save in urgent circumstances and provided the Minister agrees to reduce such period.

#### Article 111

Every Minister is responsible before Al-Shoura Council for the performance of his ministry; and the Minister may not be subjected to a vote of confidence save after an interpellation addressed to him. The vote of confidence shall be discussed if the Minister so desires or upon a request signed by fifteen Members. The Council may not take a resolution in this respect before at least ten days from the date of the submission of the request or expression of desire; and the vote of no confidence on the Minister shall be a majority of two thirds of the Members of the council. The minister shall be considered to have relinquished his office as of the date of the no confidence resolution.

#### Article 112

The Minister of the Council shall in no circumstances be accountable for opinions or statements he makes in respect of matters within the jurisdiction of the Council.

#### Article 113

1. Save when a Member of Al-Shoura Council is found flagrante delicto, he shall not be arrested, detained, searched or subject to investigation without prior permission from the Council. Where the Council has not issued a resolution on the request for permission within a period of one month from the date of receipt of the said request, this shall be virtually considered a permission. The permission shall be issued by the Speaker of the Council when the latter is not in session.

2. In case of flagrante delicto, the Council must be notified of the measures taken against the offending Member; and where the Council is not in session, such notification should be made at the first subsequent session.

#### Article 114

Combination of membership of the Council and the assumption of public posts shall not be permissible save in cases where combination is permissible in accordance with the Constitution.

#### Article 115

The Members of Al-Shoura Council shall aim in their conduct to serve the interests of the country and shall not, in any way, use their official positions for their own interests, nor for the interests of their own acquaintances. The law shall determine the acts that are restricted for the Member of Al-Shoura Council.

#### Article 116

The Speaker of the Council, his Deputy and the Members shall be granted a remuneration to be determined by law. Such remuneration shall be due as of the date of taking oath before the Council.

### Chapter Four: The Executive Authority

#### Article 117

No one shall assume a Ministerial Post save a person of an original Qatari nationality.

#### Article 118

The formation of the Council of Ministers shall be by an Emiri Order on a proposal by the Prime Minister. The Emir may entrust the Prime Minister or any other Minister with the functions of one or more ministries; and the law shall specify the powers of Ministers.

#### Article 119

Prior to assuming office, the Prime Minister and the Ministers shall take before the Emir the following oath:

( I swear by Almighty God to be loyal to the country and to the Emir , respect Shari'a Law, the Constitution and the law, fully safeguard the interests of the people, perform my duties faithfully, conscientiously, and with honour, and fully safeguard the territorial integrity and safety of the State).



## Article 120

The Council Of Ministers shall assist the Emir in discharging his functions and exercising his powers in accordance with this Constitution and the provisions of the law.

## Article 121

It shall be conferred upon the Council of Ministers, in its capacity as the highest executive organ, to administer all the internal and external affairs falling within its jurisdiction as determined in this Constitution and the provisions of the law. The Council of Ministers shall specifically perform the following functions:

1. Proposal of draft laws and decrees and submission of the same to Al-Shoura Council for debates. If such proposed laws are approved by the Advisory Council, they shall be referred to the Emir for ratification and promulgation in accordance with the provisions of this Constitution;
2. Approval of the regulations and decisions prepared by the Ministries and other Government organs relevant to their respective jurisdiction for the implementation of the laws in accordance with their provisions;
3. Supervision of the implementation of laws, decrees, regulations, and resolutions;
4. Proposals of establishing and organizing of the Government departments, public authorities and corporate bodies according to the law;
5. High control of the financial and administrative system of the Government;
6. Appointment and dismissal of civil servants in the cases where such appointment and dismissal do not fall within the jurisdiction of the Emir or the power of the Ministers as specified by the law;
7. Drawing up the general regulations that adequately ensure the maintenance of internal security and public order in all parts of the State in accordance with the law;
8. Administration of the finance of the State and preparation of its draft budget as determined by this Constitution and the provisions of the law;
9. Approval of economic project and methods of their implementation;
10. Supervision of the means for preserving the interests of the State abroad and maintenance of its international relations and foreign affairs;
11. Preparation of a report at the beginning of every fiscal year including a detailed survey of the tasks accomplished internally and abroad. The report shall be accompanied with a plan drawing up the most adequate ways for achieving comprehensive development of the State, providing the necessary conditions for its development and prosperity, and consolidating its security and stability in accordance with the basic guiding principles of the policy of the State as stated in this Constitution. The said report shall be submitted to the Emir for approval;
12. Any other functions vested upon it by this Constitution or the law.

#### Article 122

The Ministers shall implement the general Government policy, each within the limits of his jurisdiction .The Emir may request the Prime Minister and the Ministers to submit reports on any matter of the State that fall within the scope of their functions.

#### Article 123

The Prime Minister and the Ministers are collectively responsible before the Emir for the implementation of the general Government policy; and each one of them is individually responsible before the Emir for the manner in which he carries out his duties and exercises his function.

#### Article 124

The law shall determine remunerations for the Prime Minister and the Ministers; and all provisions pertaining to the Ministers shall apply to the Prime Minister unless otherwise stipulated.

#### Article 125

The Prime Minister shall, preside over the sessions of the Council, organize its proceedings and supervise coordination of work among the various Ministries in order to achieve unity and harmony among the Governmental organs of the State. The Prime Minister shall sign, in the name and on behalf of the Council of Ministers, decisions made by the Council.

He shall also submit to the Emir the decisions of the Council on matters requiring an Emiri Resolution for approval and issuance in accordance with the provisions of this Constitution.

#### Article 126

The meetings of the Council of Ministers shall be quorum if a majority of its Members are present, provided that the Prime Minister or his Deputy are present. The discussions of the Council shall be secret; and its decisions shall be made by a majority of the present Members. When the votes are equal, the Prime Minister shall have casting vote. The minority shall abide by the opinion of the majority.

#### Article 127

The Council of Ministers shall set up its internal regulations and it shall have a general secretariat to assist in the discharge of its functions.

#### Article 128

When assuming their positions, the Ministers shall aim to serve the interests of the country and shall not, in any way, misuse their official positions for their own interests, or for the interests of their own acquaintances. The law shall determine the acts that are restricted for Ministers and the acts committed during their term of office that entail accountability; and the said law shall specify the manner of accountability.

#### Chapter Five: The Judicial Authority

#### Article 129

The supremacy of law is the base of rule in the State. The honour of the judiciary, its integrity, and impartiality of judges are a safeguard of rights and liberties.

#### Article 130

The judicial authority shall be independent and it shall be vested in courts of different types and grades. The courts shall make their judgments according to the law.

#### Article 131

Judges are independent and they shall not be subject to any power in the exercise of their judicial functions as provided by the law and no interference whatsoever shall be permitted with court proceedings and the course of justice.

#### Article 132

The law shall regulate the categories and divisions of courts and define their jurisdiction and powers. The jurisdiction of Military tribunals is restricted, save when martial law is in force, to military crimes committed by staff of the armed and the security forces within the limitations specified by the law.

#### Article 133

Court sessions shall be public save when a court decides, for the interest of public order or morality, to hold them in camera. In all cases, the pronouncement of judgments shall be made in an open session.

#### Article 134

Judges shall not be subject to removal from office save in cases specified by the law. The said law shall also specify the rules and disciplinary matters applicable to Judges.

#### Article 135

The right of litigation is inviolable and it shall be guaranteed to all people. The law shall specify the procedures and manner of exercising this right.

#### Article 136

Public prosecution shall conduct public actions in the name of the people, supervise the law enforcement, and ensure the enforcement of criminal laws. The law shall regulate the functions of this body, specify the condition and guarantees pertaining to the staff discharging the functions of the same.

#### Article 137

The judiciary shall have a Supreme Council to supervise the proper functioning of courts of law and their auxiliary organs. The law shall determine the composition, powers and functions of the said Council.

#### Article 138

The law shall determine the competent body entrusted with the settlement of administrative disputes and define its structure and manner of discharging its functions.

#### Article 139

The law shall regulate the method of settling conflicts of jurisdiction and also judgments among the judicial bodies.

#### Article 140

The law shall specify the competent judicial body for settling of disputes pertaining to the constitutionality of laws and regulations, define its powers and method of challenging and procedures to

be followed before the said body. It shall also specify the consequences of judgment regarding unconstitutionality.

## PART FIVE

### Final Provisions

#### Article 141

The Emir shall promulgate this Constitution and it shall come into force as of the day immediately following the date of its publication in the official Gazette.

#### Article 142

The laws shall be published in the official Gazette after ratification and promulgation within two weeks of their issue, and unless otherwise stated in the laws themselves, such laws shall come into force a month as of the date of their publication.

#### Article 143

All provisions embodied in laws and regulations in force upon the entering of this Constitution into force shall continue to be valid and effective unless they are amended in accordance with it. The enforcement of this Constitution shall not affect the provisions of the treaties and international agreements to which the State of Qatar is a party.

#### Article 144

The Emir or one third of the Members of Al-Shoura Council each shall have the prerogative to apply for the amendment of one or more of the articles of this Constitution. If the majority Members of the Council accept the amendment in principle, the Council may discuss it article by article. The amendment shall be passed by a two-thirds majority of the Members of the Council. The said amendment shall not be into force before the approval of the Emir and its publication in the official Gazette. If, on the other hand, the proposal for amendment is rejected in principle or in subject, it may not be re-introduced before the lapse of one year from the date of its rejection.

#### Article 145

Provisions pertaining to the rule of the State and its inheritance thereof may not be subject to application for amendment.

#### Article 146

Provisions pertaining to rights and public liberties may not be subject to amendment save for the purpose of granting more rights and guarantees for the interest of the citizen.

#### Article 147

The functions of the Emir set forth in this Constitution may not be subject to an application for amendment during the term of his deputation.

#### Article 148

No article of this Constitution may be proposed for amendment before the lapse of a period of ten years from the date of its coming into force.

#### Article 149

No provision of this Constitution may be suspended save where martial laws are in force and within the limits specified by the law; however, the convening of the session of Al-Shoura Council may not be suspended neither may the immunity of its Members be violated during this period.

#### Article 150

The Amended Provisional Constitution, issued on 19th April, 1972, in force in the State, shall be repealed. The provisions pertaining to the current Al-Shoura Council shall remain in force until the new Council is elected.