

Qatar: Legislative changes in favour of consumers, domestic and foreign investments

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Qatar is taking extensive positive steps to improve its legislative system. This has been reflected in various new laws, regulations and amendments coming into force during the past year.

In this article, we highlight some of the more interesting recent legislative changes.

Consumer Protection Law amendment released

Law Number 7 of 2018 amending Law 8 of 2008 on Consumer Protection was published in the Qatari Official Gazette Number 11 dated 4 July 2018.

The amendment, as expected, imposes stricter administrative punishments, in addition to the existing administrative and criminal sanctions, which include imprisonment and/or fines.

The amendment extends Article 18 bis, which is the provision that grants the Consumer Protection Department's the authority to temporarily close the infringing shop or place of business for a period not exceeding one month for the first violation, two months for the second violation, and three months for any further violations.

In addition to publishing the closure decision on the Ministry's website and in two daily newspapers, the amendment imposes a notice of violation to be placed on the offending shop or place of business alerting consumers to the reason of the closure being due to violations of the Consumer Protection Law.

This amendment adds to the significant role of the Qatari Consumer Protection Department, by further publicising the violation to consumers, making the administrative action more effective and preventive.

The Issuance of the Patents Implementing Regulation

The Patents Implementing Regulation Number 153 of 2018 was also published in the Qatari Official Gazette Number 11 dated 4 July 2018.

Patents in Qatar are governed by the provisions of Law Number 30 of 2006. This law has not been updated since its issuance, and was put into place without being accompanied by any

implementing regulations.

However, the recent developments, including the issuance of the long awaited implementing regulations, are in line with the Qatar National Vision 2030, including the national strategic plan improving IP enforcement and protection, and are assigned to a specialised committee in accordance with decision Number 45 of 2017. Accordingly, further improvements and regulations are also expected to be issued soon.

The new patents implementing regulation specifies procedures related to registration of patents, including granting the Patent Office the authority to accept submission of supporting documents within a maximum six month period of filing a patent application. In case of non-compliance within the six month period, the patent application shall be considered abandoned, in accordance with Article 2 of the regulation.

However, the maximum period granted by the Patent Office for filing supporting documents in cases of priority claims is three months, as per Article 3 of the regulation.

Article 8 of the regulations confirm that the Patent Office may use the assistance of experts in the relevant field within the examination process, and the applicant is to cover the cost of such experts.

These regulations are expected to enhance the efficiency of the patent registration process in Qatar.

Law on Competitiveness of National Products to be released

In June 2018, Qatar's Advisory Council discussed a draft law on supporting the competitiveness of national products and combating harmful practices in international trade. The draft law was referred to the Financial and Economic Affairs Committee for its examination and for the Committee to report back to the Council with their comments.

The draft law confirms complying with Qatar's international obligations as per the World Trade Organisation (WTO) Agreements signed by Qatar.

This law also supports Qatar's aim to achieve self-sufficiency and food security.

Foreign investment and Trade – Agreements signed and further laws under discussion

Qatar launched direct maritime shipping lines with many counties including Kuwait, Oman, India, Pakistan, Turkey and Iraq, in addition to Jordan. This was in line with the entry into bilateral agreements with many countries with the aim of improving trade relationships and encouraging foreign investment.

Furthermore, Qatar has announced that the cabinet had approved draft legislation governing

investment of non-Qatari capital in the economy. It is said that the legislation will replace Law No 13 from 2000 to further open up the country to foreign investment in all sectors with several exceptions. The draft under discussion was not disclosed, accordingly, the details of this amendment are still unconfirmed, and it is uncertain when this law will be issued.

Another law closely related to foreign investment is also expected to be released, administering ownership of real estate by non-Qatari citizens. The law is likely to define certain areas on which such ownership is permissible and the conditions to apply to the same, as well as granting heirs of the owner the same ownership rights after the death of the owner.

Conclusion

Encouraging foreign investment is essential for economic development. By providing the needed legal tools to safeguard the interests of domestic industries, consumers, and foreign investors, Qatar would appear to be moving in the right direction, by developing a robust and balanced legal and economic system.

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