

## **The Constitution**

Qatar's constitution has passed through transitional stages starting in 1970 when the first provisional system of governance was enacted. This system was revised in 1972 after the national independence and amended to address the requirements and responsibilities of the new stage. Thereafter, the features and objectives of the State's policies and affiliations were defined at the regional, Arabic and Islamic levels. The government and its organs drew much benefit from the actual performance of authority at the domestic and international levels.

The legislative amendments tackled some articles of the basic modified provisional system pertaining to the executive authority and the articles pertaining to the inheritance of the Emir's post as an integral part of the constitutional situation in the country. In the same manner, the issuance of the judicial authority law and other basic laws that regulate civil and commercial transactions were complementary steps towards the establishment of the State's organs and laying down the foundations of the State of law and institutional governance.

## **The Drafting Committee of the Permanent Constitution**

On the 13th of July, 1999, Qatar transferred into a new era of its modern history when HH the Emir Sheikh Hamad Bin Khalifa Al-Thani issued decree no (11) in 1999 stipulating the formation of a drafting committee of the permanent constitution in a historic speech he delivered on this occasion. In his speech, HH the Emir maintained that the Constitution is the basic document that contains the substantial principles relative to the country's sovereignty in different domains, regulates its authorities and its ruling system and defines public rights and duties. HH stressed the importance of expanding the base of communal participation in governance vis-a-vis the election of a parliament. He also defined the basic features of Qatar's prospective permanent constitution as being based on affiliation to the Gulf region and the Arabic and Islamic worlds and observing the Arabic profound traditions and sublime teachings of Islam.

A constitutional committee was formed, namely, The Drafting Committee of the Permanent Constitution, headed by a chairman and a deputy chairman with the membership of thirty other members. The Emiri decree stipulated the committee should draft a permanent constitution for the country in a time span of no more than three years effective from the date of the issuance of the decree. The Committee was instructed to prepare a report every six months to brief HH the Emir of the output of its work. At the end of its mission, the committee should submit the manuscript accompanied by its recommendations to HH the Emir.

On the second of July, 2002, HH the Emir received the manuscript of the permanent constitution enterprise which lays the basic foundations of the society, regulates the State's authorities, embodies the public participation in governance and ensures the rights and freedom of Qatari citizens. The Constitution consists of five chapters and 150 articles. It stipulates the establishment of a parliament to be called "The Advisory Council" of which two-thirds of its members are elected vis-a-vis free direct elections whereas the remaining members shall be appointed by the Emir. The Advisory Council shall be entrusted with the legislative authority, the endorsement of the public budget and accountability of the ministers and the executive authority.

## **Referendum on the Constitution**

On the 29th of April 2003, the Qataris were set to transfer into a new era where they soar high in the horizons of freedom, after thirty years of living under the umbrella of the Amended Provisional Constitution which had fallen short of being convenient to the requirements of contemporary life. This new era is marked with setting up a permanent constitution that upholds personal liberty, safeguards the principle of equal opportunities for all citizens, protects private proprietorship, deems all people equal in rights and duties and prohibits the expulsion of any citizen from the country or preventing

him from returning to it. Furthermore, the Constitution creates a free atmosphere whereby all types of expression are allowed and enhances the freedom of press and publication. It likewise enshrines the freedom of religion, worship and conviction for all people and makes the Qatari population the source of powers and legislations to be exercised through an elected legislative council.

The 29th of April, 2003 was the date set for a public referendum whereby citizens have their say on this Constitution freely; thus, transferring Qatar from the zone of totalitarian states to the world of democratic countries and from the cycle of closed countries to the world of liberties and cultural openness to the world.

The result of the referendum in which the percentage of popular turnout was high showed a general consent to the Constitution amounting to 96.6%, equal to 68987 voters as opposed to 2145 who cast a negative vote. The invalid votes counted as 274.

The heavy turnout to the ballot boxes evidently reflects the extent of the Qatari people's response to the call dispatched by HH the Emir Sheikh Hamad Bin Khalifa Al-Thani in a speech he delivered to his nation and urged them to cast their votes in the referendum and have their say on the Constitution. The Ministry of Interior and the Public Committee of the referendum formed one hundred committees to oversee the referendum on the permanent Constitution and define the centers where the referendum would take place. These committees were distributed among work places at the ministries, establishments and residential areas among which is the 29th electoral districts where municipal elections to elect the first and second central municipal council took place. In addition, a number of mobile committees were set up to cover certain schools, work places in the State, commercial malls, clubs, Doha International Airport, Abu Samra Center, hospitals and other health centers of the Ministry of Public Health.

The requisite terms and conditions that qualify citizens to cast their votes on the draft constitution were defined as being a citizen holding a natural Qatari nationality and at least eighteen years old by the 29th of April.

On 8th June 2004 H.H. Sheikh Hamad bin Khalifa Al-Thani, the Emir of the State of Qatar, issued a statement on the occasion of the ratification of the Permanent Constitution of the State of Qatar. The statement stated the following:

We, Hamad bin Khalifa Al-Thani, the Emir of the State of Qatar, have decreed the following:

In implementation of our objectives to complete the premises of democratic rule in our beloved homeland through ratification of a permanent constitution for the country that consolidates the basic foundations of society, reflects people's participation in decision-making and guarantees the rights and freedoms of citizens, and recognizing our Arab and Islamic affiliation of which we are proud, and having been familiarized with the results of the Referendum on the Permanent Constitution of the State of Qatar on 9th April 2003 and the approval by the overwhelming majority of citizens of this constitution, and having read Article 141 of the Permanent Constitution, we have issued this Constitution, which shall be published in the Official Gazette a year after it is issued, during which constitutional institutions shall be completed and necessary measures thereto shall be undertaken .

## **Permanent Constitution of the State of Qatar**

### **PART ONE**

#### **The State and the Bases of the Rule**

##### **Article 1**

Qatar is an independent sovereign Arab State. Its religion is Islam and Shari'a law shall be a main source of its legislations. Its political system is democratic. The Arabic Language shall be its official language. The people of Qatar are a part of the Arab nation.

**Article 2**

The capital of the State is Doha City; and it may be transferred to any other place by a law. The State shall exercise its sovereignty on its territory and it may not relinquish its sovereignty neither may it cede any part of its territory.

**Article 3**

The law shall specify the flag of the State, the emblem, decorations, badges, and the National Anthem.

**Article 4**

The law shall determine the financial and banking system of the State, and specify its official currency.

**Article 5**

The State shall preserve its independence, sovereignty, territorial safety and integrity, security and stability, and defend itself against aggression.

**Article 6**

The State shall respect the international charters and conventions, and strive to implement all international agreements, charters, and conventions it is party thereof.

**Article 7**

The foreign policy of the State is based on the principle of strengthening international peace and security by means of encouraging peaceful resolution of international disputes; and shall support the right of peoples to self-determination; and shall not interfere in the domestic affairs of states; and shall cooperate with peace-loving nations.

**Article 8**

The rule of the State is hereditary in the family of Al Thani and in the line of the male descendants of Hamad Bin Khalifa Bin Hamad Bin Abdullah Bin Jassim. The rule shall be inherited by the son named as Heir Apparent by the Emir. In the case that there is no such son, the prerogatives of rule shall pass to the member of the family named by the Emir as Heir Apparent. In this case, his male descendants shall inherit the rule. The provisions of the rule of the State and accession shall be determined by a special law that shall be issued within a year commencing as from the date of coming into force of this Constitution. This law shall have the power of the Constitution.

**Article 9**

The Emir shall, by an Emiri Order, appoint an Heir Apparent after consultation with the members of the Ruling Family and the people of wisdom (Ahal Alhal wal agd) in the State. The Heir Apparent must be a Muslim of a Qatari Muslim Mother.

**Article 10**

The Heir Apparent, on his appointment, shall take the following of oath:  
( I swear by Almighty God to respect Sharia law, the Constitution and the law, maintain the independence of the State and safeguard its territorial integrity, defend the freedom and interests of its people, and be loyal to the State and the Emir).

**Article 11**

The Heir Apparent shall assume the powers and discharge the functions of the Emir on his behalf during his absence outside the country, or in the event of temporary compelling circumstances).

**Article 12**

The Emir may, by an Emiri Order, confer upon the Heir Apparent the exercise of some of his powers

and the discharge of some of his functions. The Heir Apparent shall preside over the sessions of the Council of Ministers whenever he is in attendance.

#### **Article 13**

Without prejudice to the provisions of the two preceding articles, and where it is not possible to delegate powers to the Heir Apparent, the Emir may, by an Emiri Order, designate a deputy from the Ruling Family to discharge some of his powers and functions; and where the person who has been so designated holds a post or performs a function in any institution, the same person shall cease to discharge the duties of that post or function during his deputation of the Emir; and the Deputy Emir shall, as soon as he is so designated, take, before the Emir, the same oath as taken by the Heir Apparent.

#### **Article 14**

There shall be established a Council by an Emiri Resolution named "The Council of the Ruling Family". The Emir shall appoint the Members of such Council from amongst the members of the Ruling Family.

#### **Article 15**

The Council of the Ruling Family shall determine the vacancy of the position of the Emir in the event of his demise or when he becomes totally incapacitated to discharge his functions. Following this, the Council of Ministers and Al-Shoura Council shall after a secret joint session announce the vacancy and declare the Heir Apparent as the Emir of the State.

#### **Article 16**

Where the Heir Apparent, at the time he is named Emir of the State, is less than 18 years of age according to the Gregorian calendar, the reins of Government shall be conferred upon a Regency Council to be appointed by the Council of the Ruling Family. The Regency Council shall be composed of a Chairman and not less than three or more than five Members; and the Chairman and the majority of Members shall be from amongst the Ruling Family.

#### **Article 17**

The financial emoluments of the Emir as well as the funds allocated for gifts and assistance shall be determined by a resolution issued annually by the Emir.

## **PART TWO**

### **The Guiding Principles of the Society**

#### **Article 18**

The Qatari society is based on the values of justice, benevolence, freedom, equality, and high morals.

#### **Article 19**

The State shall maintain the pillars of the society and ensure security, stability, and equal opportunities for all citizens.

#### **Article 20**

The State shall strive to strengthen the spirit of national unity, cooperation, and fraternity among all citizens.

#### **Article 21**

The family is the basis of the society. A Qatari family is founded on religion, ethics, and patriotism. The law shall regulate adequate means to protect the family, support its structure, strengthen its ties, and protect maternity, childhood, and old age.

**Article 22**

The State shall provide care for the young, and protect the same from corruption, exploitation, evils of physical, mental and spiritual neglect. The State shall also create conducive circumstances for developing their capabilities in all fields based on sound education.

**Article 23**

The State shall foster public health; provide means of prevention from diseases and epidemics and their cure in accordance with the law.

**Article 24**

The State shall foster, preserve and help disseminate sciences, arts, cultural and national heritage, and encourage scientific research.

**Article 25**

Education is one of the basic pillars of social progress. The state shall ensure, foster, and endeavor to spread it.

**Article 26**

Ownership, capital and labour constitute the foundation of the social structure of the State; and the same are individual rights with a social function and which shall be regulated by the law.

**Article 27**

Private property is inviolable; and no one shall be deprived of his property save by reason of public benefit and in the cases prescribed by the law and in the manner stated therein provided that the person concerned is fairly compensated.

**Article 28**

The State shall guarantee freedom of economic enterprise on the basis of social justice and balanced cooperation between private and public activity in order to achieve socio-economic development, increase in production, achieve public welfare, raise standard of living, and provide job opportunities in accordance with the provisions of the law.

**Article 29**

Natural wealth and its resources are the property of the State; and the State shall preserve and exploit the same in the best manner in accordance with the provisions of the law.

**Article 30**

The employee- employer relationship shall be based on the ideals of social justice and shall be regulated by law.

**Article 31**

The State shall encourage investment and shall provide the necessary guarantees and facilities for it.

**Article 32**

The law shall regulate State loans.

**Article 33**

The State shall preserve the environment and its natural balance in order to achieve comprehensive and sustainable development for all generations.

**PART THREE****Public Rights and Duties**

**Article 34**

The Citizens of Qatar shall be equal in public rights and duties.

**Article 35**

All persons are equal before the law and there shall be no discrimination whatsoever on grounds of sex, race, language, or religion.

**Article 36**

Personal freedom shall be guaranteed and no person may be arrested, detained, searched, neither may his freedom of residence and mobility be restricted save under the provisions of the law; and no person may be subjected to torture, or any degrading treatment; and torture shall be considered a crime punishable by law.

**Article 37**

The sanctity of human privacy shall be inviolable, and therefore interference into privacy of a person, family affairs, home of residence, correspondence, or any other act of interference that may demean or defame a person may not be allowed save as limited by the provisions of the law stipulated therein.

**Article 38**

No citizen shall be banished neither shall he be denied re-entry to his country.

**Article 39**

An accused person is presumed innocent until his conviction is proved before a court of law wherein the necessary guarantees of the right of self-defense are secured.

**Article 40**

No crime and no punishment save as prescribed by the law and no penalty save on the acts committed subsequent to the enforcement of that law; and punishment is personal. The provisions of the laws shall have no effect save on the acts committed from the date of the enforcement of the said laws. These provisions shall have no effect on the acts which occurred prior to the enforcement of the said laws; however, it may be stipulated otherwise by a majority of two-thirds of Al-Shoura Council in case of non-criminal provisions.

**Article 41**

The Qatari nationality and the rules governing it shall be prescribed by law, and the same shall have the similar power as that of the constitution.

**Article 42**

The State shall ensure the right of citizens to elect and be elected in accordance with the law.

**Article 43**

Taxes shall be founded on social justice and henceforth may not be levied save by a law.

**Article 44**

The right of the citizens to assemble is guaranteed in accordance with the provisions of the law.

**Article 45**

The right of citizens to establish association is guaranteed in accordance with the conditions and circumstances set forth in the law.

**Article 46**

Individuals have the right to address public authorities.

**Article 47**

Freedom of expression of opinion and scientific research is guaranteed in accordance with the conditions and circumstances set forth in the law.

**Article 48**

Freedom of press, printing and publication shall be guaranteed in accordance with law.

**Article 49**

All citizens have the right to education; and the State shall endeavor to make general education compulsory and free of charge in accordance with the applicable laws and regulations of the State.

**Article 50**

Freedom to practice religious rites shall be guaranteed to all persons in accordance with the law and the requirements of the maintenance of public order and morality.

**Article 51**

The right of inheritance shall be maintained and governed by Shari'a law.

**Article 52**

Every person who is a legal resident of the State shall enjoy protection to his person and property in accordance with the provisions of the law.

**Article 53**

Defending the country is a duty of every citizen.

**Article 54**

The public post is a national service; and a public employee shall make public interest his only objective when performing the duties of his post.

**Article 55**

Public funds are inviolable and its protection is a duty of everyone in accordance with the law.

**Article 56**

General confiscation of property is prohibited. The penalty of confiscation of private property shall only be imposed by a court judgment and in cases specified by the law.

**Article 57**

The respect of the Constitution, compliance with the laws issued by Public Authority, abiding by public order and morality, observing national traditions and established customs is a duty of all who reside in the State of Qatar or enter its territory.

**Article 58**

Extradition of political refugees is prohibited; and the law shall determine conditions of granting political asylum.

**PART FOUR  
Organization of Powers****Chapter One: General Provisions****Article 59**

The people are the source of power, and they shall exercise the same in accordance with the provisions of this Constitution.

**Article 60**

The system of Government is based on the separation of powers and shall be exercised in collaboration with the manner specified in this Constitution.

**Article 61**

The Legislative Authority shall be vested in Al-Shoura Council as prescribed in this Constitution.

**Article 62**

The Executive Authority shall be vested in the Emir and he shall be assisted by the Council of Ministers as specified in this Constitution.

**Article 63**

The Judicial Authority shall be vested in courts of law as prescribed in this Constitution; and court judgments shall be pronounced in the name of the Emir.

**Chapter Two: The Emir****Article 64**

The Emir is the head of State. His person shall be inviolable and he must be respected by all.

**Article 65**

The Emir is the Commander-in- Chief of the armed forces. He shall supervise the same with the assistance of Defence Council under his direct authority. The said Council shall be constituted by an Emiri Resolution, which will also determine the functions thereof.

**Article 66**

The Emir shall represent the State internally and externally and in all international relations.

**Article 67**

**The Emir shall discharge the following functions:**

1. Drawing up the general policy of the State with the assistance of the Council of Ministers;
2. Ratification and promulgation of laws; and no such law may be issued unless it is ratified by the Emir;
3. Summoning the Council of Ministers to convene at any time deemed necessary for public interest; and the Emir shall preside over the meetings of the Council of Ministers that he attends;
4. Appointment of civil servants and military personnel and terminating their service in accordance with the law;
5. Accrediting diplomatic and consular missions;
6. Granting pardon or commuting penalty in accordance with the law;
7. Conferring civilian and military orders and badges of honour in accordance with the law;
8. Establishment and organization of ministries and other Government bodies and specifying their functions;
9. Establishment and organization of such consultative bodies to assist him in directing, supervising, and specifying the functions of the high policies of the State;
10. Any other functions vested upon him by this Constitution or the law.

**Article 68**

The Emir shall conclude treaties and agreements by a decree and refer them to Al-Shoura Council accompanied with appropriate explanatory notes. The treaty or agreement shall have the power of law after ratification and publication in the official Gazette; however, reconciliation treaties and treaties pertaining to the territory of the State or those relating to the right of sovereignty or public or private rights of the citizens, or those that involve an amendment of the laws of the State shall come into force when the same are issued as a law. Under no case may a treaty include secret conditions contradicting its publicized conditions.

**Article 69**

The Emir may, by a decree, declare Martial Laws in the country in the event of exceptional cases specified by the law; and in such cases, he may take all urgent necessary measures to counter any threat that undermine the safety of the State, the integrity of its territories or the security of its people and interests or obstruct the organs of the State from performing their duties. However, the decree must specify the nature of such exceptional cases for which the martial laws have been declared and clarify the measures taken to address this situation. Al-Shoura Council shall be notified of this decree within the fifteen days following its issue; and in the event that the Council is not in session for any reason whatsoever, the Council shall be notified of the decree at its first convening. Martial laws shall be declared for a limited period and the same shall not be extended unless approved by Al-Shoura Council.

**Article 70**

The Emir may, in the event of exceptional cases that require measures of utmost urgency which necessitate the issue of special laws and in case that Al-Shoura Council is not in session, issue pertinent decrees that have the power of law. Such decree-laws shall be submitted to Al-Shoura Council at its first

meeting; and the Council may within a maximum period of forty days from the date of submission and with a two-thirds majority of its Members reject any of these decree-laws or request amendment thereof to be effected within a specified period of time; such decree-laws shall cease to have the power of law from the date of their rejection by the Council or where the period for effecting the amendments have expired.

**Article 71**

Defensive war shall be declared by an Emiri decree and aggressive war is prohibited.

**Article 72**

The Emir shall appoint the Prime Minister, accept his resignation and remove him from office by an Emiri order; and the resignation of the Prime Minister or his removal from office shall entail all Ministers. In the event of acceptance or resignation or removal from the office, the same Council shall continue to run urgent matters until such time the new Council is appointed.

**Article 73**

The Emir shall appoint Ministers by an Emiri Order upon nomination by the Prime Minister; and he shall accept resignations of Ministers and relieve them from office in a like manner. Where a resignation of a minister has been accepted, the Minister may be entrusted with running urgent matters until his successor is appointed.

**Article 74**

The Emir shall take the following oath prior to the discharge of his functions in a special session convened by Al-Shoura Council:

The Emir shall take the following oath prior to the discharge of his functions in a special session convened by Al-Shoura Council:

(I swear by Almighty God to respect Sharia law, the Constitution and the law, protect the independence of the State, safeguard its territorial integrity, and defend the freedom and interests of its people).

**Article 75**

The Emir shall seek public opinion on important issues pertaining to the interests of the State in a referendum. The subject of such referendum shall be deemed acceptable if acknowledged by the majority of voters; and the results of the referendum shall be binding and effective from the date of its announcement. The results shall be published in the official Gazette.

**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.