

Qatar: Law No. 21 of 2015 Regulating the Entry, Exit, and Residence of Expatriates

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| Title | Law No. 21 of 2015 Regulating the Entry, Exit, and Residence of Expatriates |
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| Abstract | |

This law covers the conditions for entry to and departure from the State of Qatar of expatriates (Art. 2-7); the residence of expatriates (Art. 8-16); regulates their recruitment (Art. 17-20); sets the conditions for changing employers (Art. 21-23); sets out the conditions for their deportation and repatriation (Art. 24-28); sets out the conditions for entry and residence of certain categories (Art. 29-37); sets out penalties for violating certain provisions of the law (Art. 38-41) and conditions for conciliation (Art. 42-45). For the purpose of this law an expatriate is any non-Qatari person entering the State for the purpose of work, residence, visit, or any other purpose. A recruiter is any entity, employer, head of family, or host, who recruits an expat or to whom the expatriate's residence is transferred in accordance with the provisions of this law (Art. 1).^[1]

According to Art. 7 of this law, the competent authority at the Ministry of Interior has to be informed about an expatriate's intention to leave the country at least three working days before the exit date. In case of any objection to the exit of the worker by the recruiter or the competent authority, the expatriate can approach the exit petitions committee. The Minister of Interior shall issue a decision to form such a committee and specify its jurisdictions and the procedures to be followed by it, in addition to its mechanism of work. The worker may exit the country as soon as the recruiter informs the competent authority of his approval of the request. In case of an emergency for the worker, the petitions committee shall take a decision on his exit request within three working days.

Art. 8 requires the employer to return to the worker his passport or travel document once procedures for issuing or renewing his residence permit have been completed. The only exception is if the expatriate requests his employer to hold onto the passport in writing. The employer shall return the passport upon the expatriate's request.

The competent authority may grant residence permits to the spouse, male children of the expatriate who are 25 years old or less and who have not completed their university education, and unmarried female children. The Minister may waive the age limitation, and with his approval a residence permit may be granted to the parents of an expatriate if deemed reasonable. The competent authority may also grant a residence permit to the spouse and children of a Qatari married to a foreigner and to his/ her non-Qatari parents as well (Art. 12)

Art. 14 sets a period of six months as the amount of time an expatriate is allowed to stay outside the country without losing his residency. An exception is given to those who obtain a re-entry permit from the competent authority prior to leaving or prior to the lapse of one year since departure as long as this is done within sixty days of the residence permit's expiry.

Art. 17 lists the parties responsible for the residence of the expatriate. In the case of workers/ employees this responsibility lies with the employer only. In the case of dependants, the head of the family is responsible. The head of the family may continue to be responsible for women after they find employment within Qatar.^[2]

Art. 19 lists the responsibilities of the recruiter which include: notifying the competent authority within fourteen days of the expatriate leaving his employment or refusing to leave the country after his residence permit has been cancelled or expired; bearing the expenses of the expatriate's return to his country of origin; bearing the expense of burying the body of the expatriate or transporting it to his family.

In accordance with Art. 21, the approval of the both the employer and the competent authority within the Ministry of Labour and Social Affairs is needed for the transfer of employment before the end of the work contract. The expatriate may transfer to another employer immediately upon the expiry of his work contract in the case of limited term contracts or after five years in the case of unlimited contracts, subject to obtaining the approval of the employer and the Ministry.

The Minister or his nominee may approve the transfer of employment of any expatriate worker on a temporary basis if a suit is filed between him and his recruiter. In cases where the Labour Law does not apply to the expatriate worker, the Minister or his nominee may approve the transfer of the expatriate to any other employer in the event of abuse by the employer or as if deemed to be in the public's interest.

For the same reasons, with the consent of the Minister or his nominee, and if requested by the worker and approved by the Ministry of Labour, the transfer of a worker who is subject to the Labour Law may be approved.

In accordance with Art. 23, recruiters may not allow their workers to be employed by anyone other than himself or herself or employ an expatriate who was not recruited by them. The competent authority may however authorize a recruiter to lend the expatriate worker he has recruited to another employer for no more than six months, which may be renewed for another six months.

The competent authority may also grant permission to an expatriate to work for another employer outside the regular working hours of his original employment provided that his recruiter agrees to it in writing. The approval of the Ministry of Labour must be obtained for workers who are subject to the Labour Law.

An expatriate shall leave the country if he fails to obtain a residence permit in accordance with this law. He shall also depart the country within 90 days if his residence permit has expired or is cancelled. The expatriate may return to Qatar after obtaining approval from the competent authority and if he meets the conditions set for entry under this law and its implementing regulations (Art. 24).

Art. 26 denies a worker who has been dismissed from work and has not challenged the dismissal before the competent court, or whose challenge has been rejected from re-entering the state of Qatar for work before the lapse of four years from the date of his Departure.

This law repeals Law No. 4 of 2009 Regulating the Entry, Exit, Residence and Sponsorship of Expatriates (Art. 49).

[\[1\]](#) The term recruiter is used in lieu of the term sponsor.

[\[2\]](#) The term responsibility is also used in lieu of sponsorship.