

Qatar: Law No. 4 of 2009 Regulating the Entry, Exit, Residence and Sponsorship of Expatriates

| | |
|-------------------------|--|
| Title | Qatar: Law No. 4 of 2009 Regulating the Entry, Exit, Residence and Sponsorship of Expatriates |
| Date of adoption | 26 February 2009 |
| Entry into force | 29 April 2009 |
| Text versions | Arabic English - Sources: - <i>Official Journal Issue No. 3 (29 March 2009), p. 29. Retrieved from: Al-Meezan Qatar Legal Portal, accessed: 15 May 2013.</i> - http://www.almeezan.qa/LawView.aspx?opt&LawID=2611&TYPE=PRINT&language=ar - http://www.almeezan.qa/LawView.aspx?opt&LawID=2611&TYPE=PRINT&language=en - |
| Abstract | |

This law covers the conditions for entry to and departure from the State of Qatar of expatriates (Art. 2-8); the residence of expatriates (Art. 9-17); regulates their sponsorship (Art. 18-36); sets out the conditions for their deportation and repatriation (Art. 37-42); sets out the conditions for entry and residence of certain categories that do not require sponsorship (Art. 43-50); sets out penalties for violating certain provisions of the law (Art. 51-53) and conditions for conciliation (Art. 54-56). For the purpose of this law an expatriate is any person entering the State of Qatar who does not hold Qatari citizenship (Art. 1).

According to Art. 9 of this law, the sponsor is required to complete the residence procedures and is responsible for the renewal of the residence, which shall be done within 90 days from the expiry date of the Visa. The sponsor is also required to return the passport or travel document to the sponsored person once the procedures for issuing or renewing the residence permit are completed.

Art. 12 allows the Minister of Interior or his nominee to transfer the sponsorship of any expatriate worker on a temporary basis if a suit is filed between him and his sponsor. In cases where the Labour Law does not apply to the expatriate worker, the Minister or his nominee may transfer the sponsorship to any other employer in the event of abuse by the employer or as if deemed to be in the public 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 sponsorship of a worker governed by the Labour Law may be transferred to any other employer.

Art. 13 sets the 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.

Art. 14 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.

In accordance with Art. 15, sponsors may not allow their workers to be employed by anyone other than himself or herself. The competent authority may however authorize a sponsor to lend the expatriate workers he sponsors 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 sponsor agrees to it in writing. The approval of the Ministry of Labour must be obtained for workers who are subject to the Labour Law.

Visas may not be assigned or transferred to third parties in any manner whatsoever nor can they be used by third parties, whether such transfer, assignment or use is remunerated or not.

Art. 16 allows the expatriate worker to obtain residence permits for his/ her spouse, male children who have not completed their university studies up to the age of 25 and to unmarried daughters. Subject to the consent of the Minister or his nominee at his sole discretion, the parents of the person granted a residence permit may also be granted residence permits.

Art. 17 applies to the residence of newborn children of the expatriate. An expatriate whose family is granted residence shall apply for residence to his/her newborn baby within 60 days from the date of birth or entry to the state. If birth occurs outside the state and if either parent holds a valid residence permit, the newborn baby shall be permitted to enter the state within a period of two years from the date of birth.