

GUIDANCE | QATAR FREE ZONES AUTHORITY

BUILDING PERMITS AND PLANNING REGULATIONS



Introduction

This document is intended to provide an overview of the Building Permits and Planning Regulations. It does not replace the regulations in any way, nor does it remove the need for an investor to seek its own professional advice if it considers this to be prudent.

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What does 'Qatar Free Zone' actually mean?

Law No. (34) of 2005, as amended by Decree-Law No. (21) of 2017 established the Free Zones Authority (the 'Authority') which in summary, is responsible for managing specific Free Zones within the State of Qatar.

The Free Zones are dedicated areas of land within the State of Qatar that have been identified as economic zones; these economic zones have been designed in a way that enables investors to benefit from economic incentives over and above those available to companies investing within the State of Qatar.

Currently, there are two (2) free zones:

- 1) Ras Bufontas – known as an 'Airport Free Zone and 4 km² in size; this particular zone is some 6 km away from Hamad International Airport, and is intended to provide for industries such as logistics, consumer products, light manufacturing, services, technology and applications, and pharmaceuticals.
- 2) Umm Alhoul – located near Hamad Port and 30 km² in size will primarily cater to maritime industries, polymers and plastics, advanced manufacturing, and logistics.

What activities are permitted in the Free Zones?

The Free Zones Authority (the 'Authority') has published a list of the activities it will allow investors to undertake within its zones; these are commonly known as the Schedule of Permitted Activities. Any potential investor is advised to check this published list to ascertain if its proposed activity is permitted within the Zones.

How does the Free Zones' legislation work in relation to the State's laws?

Article 4 prescribes that unless specified to the contrary by these Regulations, all Development Work on Designated Land will be governed exclusively by the provisions of and be regulated as provided by and under the Free Zones Legislation.

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What's the significance of a Building Permit?

A Building Permit is required for the carrying out of any Development. The Authority issues the Building Permit and it authorises a Development, which may be subject to conditions, restrictions, and requirements.

The purpose of building permits is to provide minimum requirements to safeguard the public safety, health, general welfare and safety to life and property from fire and other hazards attributed to the built environment.

How can a Building Permit Application be made?

The Free Zone Entity must submit a Building Permit Application in the form prescribed by the Authority. Article 6 sets out the Building Permit Application requirements.

If the Application does not comply with the requirements, the Authority may not accept or consider it.

When should an Investor apply for a Building Permit?

An investor is advised to submit a Building Permit Application upon immediate completion of the initial application.

Is it possible to obtain a Building Permit without getting a Licence?

No. The Authority will not issue a Building Permit unless and until a Licence has been issued.

How does the Authority assess the Building Permit Application?

While evaluating the Building Permit Application, the Authority will take the factors specified in Article 7 into account, which include the compliance of the proposed Development Work with the:

- a) Master Plan;
 - b) Development Criteria;
 - c) Free Zone Legislation and Qatar Construction Specifications (QCS); and
 - d) Any other factor which the Authority deems appropriate.
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What happens if the Authority rejects a Building Permit Application?

The Authority will give the reasons for refusal and the Free Zone Entity may submit a revised Building Permit Application.

What are the construction compliance requirements?

The Free Zone Entity must carry out the Development Work in full compliance with the Building Permit and

- a) adopt the most up-to-date engineering and construction practices, methods, and procedures in compliance with QCS;
 - b) in a sound and workmanlike manner, with all due skill, care, and diligence;
 - c) use appropriate accepted standards for materials and workmanship which are compliant with QCS and applicable to works having characteristics comparable to those of the Development Work;
 - d) the Construction Guidelines;
 - e) minimise any impact on other Free Zone Entities; and
 - f) ensure compliance with the Free Zones Legislation.
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What happens when the Development is complete?

The Free Zone Entity must notify the Authority in writing providing a copy of the Practical Completion Certificate and a set of as-built drawings of the Development.

If the Development has been constructed per the prescribed requirements, the Authority will issue the Final Certificate allowing the Free Zone entity to occupy the development.

Can a Free Zone Entity occupy the Development after submitting the Practical Completion Certificate but before issuance of the Final Certificate?

No. For occupation purposes, the Final Certificate must be issued.

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What are the Free Zone Entity's obligations to co-operate?

The Authority has the power to inspect and investigate the Designated Land, Custom Premises, and/or Ready-Built Premises. Where the Authority exercises such power, the Free Zone Entity must co-operate fully and grant the Authority access to its premises, data, records, and employees.

What if there are conditions in the Building Permit that continue to apply after the Final Certificate?

The Free Zone Entity must comply and continue to comply with all conditions, restrictions, and requirements in the Building Permit even after issuance of the Final Certificate.

What happens in breach of these Regulations?

The Authority may serve a Notice to Comply on the Free Zone entity, if it is aware that any parts of the regulations are not being followed.

Article 13 prescribes the relevant procedures that apply in this instance.

If the Free Zone Entity has not complied with the requirements of the Notice to Comply by the date set out in the Notice, it must pay a fine for each day it is in breach.

Continuing and persistent breaches may result in aggravated fines, administrative actions, and potential revocation of license.

Does the Authority keep a Register?

Yes, the Authority will establish and maintain a Building Permit Register. Information as the Authority deems appropriate including, copies of Building Permits, Practical Completion Certificate, Financial Certificates, Notices to Comply and details of any breaches will be recorded.

Are there any fees?

There is a Schedule of Fees that applies to Free Zones-related activities and a Free Zone Entity will be required to pay these non-refundable fees at the appropriate time.

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Can sanctions be imposed?

There is a Schedule of Sanctions which the Authority can enforce for contraventions, should the need arise.

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