

هيئة المناطق الحرة - دولة قطر FREE ZONES AUTHORITY-STATE OF QATAR

Regulations Amending Certain Provisions of Licensing Regulations

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Article 1

The definitions of Schedule of Fees and Schedule of Sanctions provided for in Article 2 of Licensing Regulations, as referred to herein, are to be replaced with the following definitions:

"Schedule of Fees: the schedule of fees set out in Schedule 1 of these Regulations as issued and updated from time to time by the Authority."

"Schedule of Sanctions: the schedule of sanctions set out in Schedule 2 of these Regulations as issued and updated from time to time by the Authority."

Article 2

The provisions of Articles 19 and 20 of the Licensing Regulations, as referred to herein, are to be replaced with the following provisions:

"Article 19 - Fees

- (1) The Free Zone Entity must pay any fees due to the Authority as set out in Schedule 1 immediately upon the fee becoming due.
- (2) Fees paid to the Authority are not refundable."

"Article 20 - Sanctions

The Authority may impose sanctions for a contravention of the Licensing Regulations as set out in Schedule 2."

Article 3

Schedule of Fees (Appendix 1) and Schedule of Sanctions (Appendix 2) shall be annexed to the Licensing Regulations as Schedule 1 and Schedule 2 respectively.

Article 4

These Regulations will be effective from the date of issuance on the Authority's web site.

Schedule 1- Schedule of Fees

Article 1- Scope

This Schedule of Fees is issued by the Authority and prescribes the fees that will apply and are to be paid by Free Zone Entities pursuant to the Free Zone Legislation.

Article 2- Application

- (1) Where a fee is payable for any service stipulated in the annexed Table of Fees, the service request may not be regarded as received until the fee has been paid.
- (2) The Authority may also charge fees by notice for various services requested by Free Zone Entities consistent with the Free Zone's objectives, even if they are not included in the annexed Table of Fees.

Article 3-Amendment

This schedule may be updated or amended at any time by the Authority and the updated or amended version will apply upon the date of issue.

Annex- Table of Fees

Type of Services	Fee (QAR)	Type of Fee
Application for License	300	One Time
New License and Licence renewal	5,000	One Time/Annual
Adding/Changing Activity in the License (for each activity)	1,000	Usage Base
Other License Amendments	1,000	Usage Base
Replacement / Re-print of License	200	Usage Base
Attestation – True Copy / Original Seen / Notarization	100	Usage Base
Standard Letter/NOC to 3rd Party	100	Usage Base
Non-Standard Letters	200	Usage Base

Schedule 2- Schedule of Sanctions

Article 1- Scope

This Schedule of Sanctions is issued by the Authority and prescribes the sanctions that will apply and are to be paid by Free Zone Entities pursuant to the Free Zones Legislation for each single contravention of the provisions of Free Zone Legislation.

Article 2- Authority's Power to Impose a Sanction

If the Authority considers that any part or provision of the Free Zones Legislation referred to in the annexed Table of Financial Sanctions of this Schedule 2 is being contravened by a Free Zone Entity, without prejudice to any other legislation carrying a more severe sanction, the Authority may impose a financial sanction prescribed therein.

Article 3- Written Notice

- (1) When the Authority believes that a contravention of the provisions referred to in the annexed Table of Financial Sanctions has occurred, it may issue a preliminary notice to be served on the alleged violator.
- (2) The written notice will set out,
 - (a) the proposed decision;
 - (b) the reasons for that proposed decision, including any proposed findings of fact;
 - (c) a copy of the relevant materials which were considered in making the proposed decision;
 - (d) that the person may make written representations to the Authority concerning the proposed decision; and
 - (e) that the time for making representations will be no less than fifteen (15) days.
- (3) The recipient of the preliminary notice may request an extension of time allowed for making representations. The Authority will decide whether it is fair to allow an extension, and if so, how much additional time is to be allowed for making representations.
- (4) If the Authority receives no response or representations within the period specified in the preliminary notice, or after considering the representations decides to make the same or a different decision, the Authority will, as soon as practicable, issue a decision notice to the person in relation to whom the power is exercised specifying:
 - (a) the decision;

- (b) the reasons for the decision, including its findings of fact;
- (c) the date on which the decision is to take effect;
- (d) if applicable, the date by which any relevant action must be taken by the person; and
- (e) the person's right to seek grievance of the decision by the Authority.
- (5) If the Authority decides that the Authority should not give a decision notice, Authority will notify the relevant parties of the decision in writing.

Article 4- Prejudice to the Interests of Free Zone Entities or the Authority

- (1) If the Authority concludes that any delay likely to arise as a result of complying with the procedures in Article 3 would be prejudicial to the interests of other Free Zone Entities or otherwise prejudicial to the interests of the Authority:
 - (a) preliminary notice and representation procedures do not apply; and
 - (b) instead, the Authority must provide the person with an opportunity to make representations to the Authority in writing within a period of fifteen (15) days, or such further period as may be decided, from the date on which the decision notice is given.
- (2) If the Authority does not receive any representations within the period specified in the notice, it must inform the person in writing that the decision is to stand.
- (3) If the Authority receives representations within the period specified in the notice, after considering the representations the Authority may decide to confirm, withdraw or vary the decision and it must as soon as practicable notify the person of the decision in writing.

Article 5- Grievances

- (1) A grievance against the decisions of the Authority will be submitted by the concerned person to the Authority, within fifteen (15) days from the date of the decision notice.
- (2) The grievance will contain the following information:
 - (a) the grievant's name, surname, capacity and address;
 - (b) the grieved-against decision, the date of its issuance and the date of its notification to the grievant or the date of knowledge;
 - (c) the grounds on which the grievance is based, and the supporting documents, and explanatory memorandums;
 - (d) the specific requests of the grievant; and
 - (e) the relevant means for the grievant to receive the notices related to the review of the grievance, whether by email or telephone or other means.

- (3) The Authority will review and decide upon the grievance within thirty (30) days and at the end of the review may rescind the order or may issue a new decision notice. The expiry of this period without a decision on the grievance will be considered and implicit rejection thereof.
- (4) The decision notice shall comprise a summary of the subject-matter of the grievance and the grounds upon which it is based. The grievant shall be notified, in writing, of a copy of the decision within seven (7) days from the date of its issuance, by the notification means as specified in his grievance.
- (5) The decision on the grievance or the implicit rejection, will be final.

Article 6- Non-Payment of Sanction and Repeated Contraventions

The amount of financial sanction prescribed in the decision notice will be doubled in cases of non-payment of the stipulated sanction within the prescribed time; or in cases of a repetition of a contravention which was previously subjected to sanction.

Article 7- Administrative Action

The imposition of a financial sanction does not in any way prevent the Authority from undertaking administrative action under the Free Zones Legislation, including, without limitation, the capacity of the Authority to suspend or revoke the Licence. Any administrative action by the Authority, including revoking or suspending a Licence under Free Zones Legislation, is without prejudice to the obligation of the Free Zone Entity to pay any sanctions so imposed by the Authority.

Article 8- Assessment and Contraventions not Covered by Schedule 2

- (1) The appropriate sanction and level of discretion may be determined by the Authority considering the following circumstances:
 - (a) seriousness and consequences of the contravention; location, severity, quantity, extent and duration of the impact, or potential impact, of the alleged contravention; the potential of the contravention to have a wider impact on proper operation of the Free Zones; costs avoided, or profits realised by the alleged contravention; the degree of culpability of the alleged offender; issues of public concern, including the need for specific and general deterrence;
 - (b) behavior of the offender regarding the contravention, cooperation with the Authority and willingness to commit to appropriate remedial actions; whether the contravention was intentional or reckless; any voluntary action by the offender to mitigate harm, and any mechanisms implemented to prevent any recurrence;
 - (c) previous history of alleged offender with regard to compliance with legislation and frequency and seriousness of any past contraventions;
 - (d) moral repugnance associated with the contravention; and
 - (e) aggravating, mitigating or other relevant factors.

- (2) The list of factors for the assessment is not exhaustive and not all the factors will apply in every case, and the weighting the Authority gives to each will depend on the particular circumstances and situation.
- (3) Where a contravention of any provision of the Regulations is not explicitly covered in the annexed Table of Financial Sanctions, the Authority may charge an appropriate financial sanction of up to ten thousand (10,000) QAR.

Article 9- Prescribed Sanctions

The financial sanction corresponding to contraventions of provisions of respective regulations are listed in the annexed Table of Financial Sanctions.

Annex- Table of Financial Sanctions

Article of The Regulations	Nature of Contravention	Maximum Financial Sanction for Each Contravention (QAR)
6(1)	Carrying out Permitted Activities without a Licence	10,000
12(1), 11(1)h	Carrying out activities of a different nature or category to that of the Permitted Activity	2,000
10(2)	Failure to comply with annual Licence renewal requirements	2,000
12(1), 11(1)d	Furnishing misleading or inaccurate information to the Authority	10,000
12(1), 11(1)e	Usage of facility without valid Lease	10,000
15	Failure to facilitate the exercise of power of the Authority to collect information and documentation	10,000
16	Failure to allow the investigator(s) to enter the registered office of or any business premises	10,000
17/2	Using a misleading trading name or carrying out the undesirable or misleading advertising or campaign activity despite the Authority's notice	5,000
18	Failure not to supply to the Authority, any changes of information contained in the Register	2,000