

Law No. (25) of 2005 with respect to the Commercial Registry 25 / 2005

Number of Articles: 20

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We, Hamad bin Khalifa Al-Thani, Emir of the State of Qatar,
Having perused the Amended Provisional Constitution, in particular Articles 23, 34 and 51 thereof,
Law No. 11 of 1962 establishing the Commercial Registration System, as amended,
Law No. 5 of 1970 specifying the powers of ministers and functions of the ministries
and other government agencies, as amended,
Civil and Commercial Articles Law No. 16 of 1971, as amended,
Law No. 3 of 1975 on the shops, industrial and similar public businesses, as amended,
The Commercial Companies Law promulgated by Law No. 5 of 2002,
Law No. 8 of 2002 on the organization of the work of commercial agents,
Law No. 22 of 2004 issuing the Civil Law,
Decree-Law No. 32 of 2004 organizing the Ministry of Economy and Commerce and defining its functions,
The proposal of the Minister of Economy and Commerce,
The bill submitted by the Council of Ministers, and
After having taken the opinion of the Shura Council,
Hereby promulgate the following law:

Chapter One

Provisions related to the Commercial Registry

Article 1

In the application of the provisions of this Law, the following words and expressions shall have the meanings assigned to each, unless the context requires otherwise:

"Ministry" means the Ministry of Economy and Commerce

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"Relevant Department" means the Department of Commercial Affairs at the Ministry.

"Commercial Registry" means the register in which the names of those subject to the provisions of this Law are entered.

Article 2

One or more commercial registers shall be created in the relevant department in names of those subject to the provisions of this Law shall be entered.

Article 3

The following must be entered into the Commercial Registry:

1 - Individuals that wish to engage in trade.

2 - Commercial companies.

3 - Natural and legal persons that engage in the business of commercial agency.

4 - Branches of foreign companies.

5 - Trade representation offices.

Branches of companies, businesses and agencies shall be registered with the same registry number granted to the company, business or agency. The name of the trader who has a branch or agency in Qatar shall also be entered in the Commercial Registry if his main business is abroad.

Article 4

The application for entry or notation in the Commercial Registry shall be submitted by the trader, director or legal representative of the legal person or the manager of the branch or agency, as the case may be, to the relevant department.

The department may require the registration applicant to provide documents it deems necessary to support the validity of the application details. It may reject the application if the conditions stipulated in this Law and the resolutions issued to give effect to it are not found. The decisions to reject must be justified and the person concerned must be notified thereof by means of a registered letter with acknowledgement of receipt within thirty days from the date of submission of the application. The lapse of such period without a decision on the application shall be deemed a rejection.

The person concerned may appeal against the resolution to reject his application before the relevant court within sixty days from the date of his having been notified of the resolution by means of a registered letter with acknowledgement of receipt, having become aware thereof, or the lapse of the period referred to in the preceding paragraph.

The Executive Bylaw of this Law shall determine the procedures to be followed in submitting the application for registration or notation, the period within which the application must be submitted and the details that the application must contain.

Article 5

Entry into the Commercial Registry shall be for a period of one year and shall be renewable up to a maximum of five years at a time from the date of registration or from the date of the last renewal. The application from persons concerned stipulated in the preceding article shall be submitted within the thirty days preceding the expiry of the period.

The renewal of the entry in the Commercial Registry shall be in accordance with the terms and conditions determined by the Executive Bylaw to this Law.

The relevant department may delete the entry in the event of no renewal application being submitted after the lapse of ninety days from the date of giving notice to the person concerned by means of a registered letter with acknowledgement of receipt.

Article 6

Every person who is entered into the Commercial Registry must write on his business front and in all correspondence, publications and papers relating to his trade, his trading name and registration number in the Arabic language.

Article 7

No natural or legal person may engage in trade or establish a business unless it is entered in the Commercial Registry.

Article 8

No person registered in the Commercial Registry may allow a third party to utilize his trade registration. No third party may utilize a trade registration that is not his, or mention that which conveys the impression of being registered in the Commercial Registry when this is not the case.

Article 9

Any person registered in the Commercial Registry may request, in accordance with the prescribed conditions, notation in the Commercial Registry of any change or amendment made to the registration details within thirty days from the date of the contract, ruling or the event that requires the same.

Article 10

The clerk of the relevant court must send a copy of the judgments, orders and resolutions issued against any trader or company stipulated in Clause 2 and 3 of Article 3 of this Law, within thirty days from the date of its issuance, to the relevant department for notation accordingly in the Commercial Registry, in the following instances:

- 1 - Judgments on the declaration of insolvency or cancellation thereof or the rulings issued to set or change the stop date for the payment of debts.
- 2 - Judgments for the closing of bankruptcy and judgments for the re-opening thereof.
- 3 - Judgments for rehabilitation
- 4 - The order issued for initiation of settlement procedures, the judgments issued to ratify, revoke, cancel the settlement or to close its procedures and the judgments issued to ratify, revoke or cancel a judicial settlement.
- 5 - Judgments and rulings issued for placing an interdiction on the trader, or to appoint or dismiss curatorship or proxies for those in absentia or for raising an interdiction.
- 6 - Rulings issued to give authorization to a minor to trade in a commercial business or to revoke or limit the same.
- 7 - Judgments issued to impose a criminal sanction name of the curator and date of his appointment.
- 8 - Judgments to remove partners or dismiss directors.
- 9 - Judgments to dissolve and liquidate companies or cancel the same and to appoint or dismiss liquidators.

Article 11

The trader, the person to whom the business devolves or the legal representative of the legal person, as the case may be, must request the deletion of the entry in the Commercial Registry in the following instances:

- 1 - The trader giving up his trade
- 2 - Passing away of the trader.
- 3 - Termination of liquidation of the legal person or suspension of its activity for any reason whatsoever.

Article 12

The application for deletion of the entry must be submitted within thirty days from the date of the incident requiring the same. If the person concerned does not submit such application, the relevant department must delete the entry on its own, after verifying the reason that requires the same, inform the person concerned within the ten days following the deletion of the entry, by means of a registered letter with acknowledgement of receipt, and notify the relevant administrative authorities to take the steps arising therefrom.

Article 13

Any stakeholder may obtain from the relevant department an extract copy of the entry page, a certificate of certain details or a negative certificate in the event of there being no entry.

The extract copy may not include the following:

- 1 - Judgments declaring insolvency if judgment for cancellation or restitution was issued.
- 2 - Judgments and rulings for placing an interdiction if judgment for raising the interdiction was issued.

Article 14

The fees for entry in the Commercial Registry, renewal, notation, deletion, extracts and copies shall be determined by a resolution of the Minister. Such resolution shall only be valid once approved by the Cabinet.

Article 15

Without prejudice to any more severe sanction provided for by any other law, a sanction of imprisonment not exceeding one month, and a fine of not more than ten thousand riyals, or either of these sanctions, shall be imposed on any person who contravenes the provisions of Article 6 of this Law.

Article 16

Without prejudice to any more severe sanction provided for by any other law, a sanction of imprisonment not exceeding six months, and a fine of not more than fifty thousand (50,000) riyals, or either of these sanctions, shall be imposed on any person who contravenes the provisions of Articles 7 and 8 of this Law.

The court may, in addition to the above, pass judgment for the deletion of the entry in the Commercial Registry, closure of the business, or suspension of its activity for a period not more than one year.

Chapter Three

General Provisions

Article 17

The employees of the Ministry delegated by a resolution of the Attorney General in agreement with the Minister shall have the capacity of law enforcement officers in enforcing and establishing the occurrence of crimes in contravention of the provisions of this Law.

Article 18

The Minister shall issue the Executive Bylaw to this Law and the resolutions necessary to give effect to its provisions. Until such time that such bylaw and resolutions come into effect, the resolutions and regulations currently in force and which do not conflict with the provisions of this law shall continue to be in effect.

Article 19

Law No. 11 of 1962 referred to is repealed as is any provision that contradicts the provisions of this law.

Article 20

All relevant authorities, each within its own jurisdiction, shall implement this law which shall be published in the Official Gazette.