

Decree-Law No. 17 of 2001 Establishing the Customs and Ports General Authority (Repealed) 17 / 2001

Number of Articles: 32

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We, Jassim Bin Hamad Al-Thani, Deputy Emir of the State of Qatar,
Having perused [the Amended Provisional Constitution](#), in particular Articles [22](#), [23](#), [27](#), and [34](#) thereof;
[Law No. 2 of 1962](#) on the regulation of the public fiscal policy in Qatar, as amended by [Decree-Law No. 19 of 1996](#);
[Decree-Law No. 29 of 1966](#) organising maritime ports of Qatar, as amended;
[The Customs Law](#) promulgated by Law No. 5 of 1988, as amended by [Law No. 25 of 1994](#);
[Law No. 5 of 1989](#) on the State general budget;
[Law No. 15 of 1991](#) organising the Ministry of Communications and Transport and assigning the competencies thereof;
[Decree-Law No. 22 of 1993](#) organising the Ministry of Finance, Economy and Commerce and assigning the competencies thereof;
[Law No. 4 of 1995](#) concerning the Auditing Bureau, as amended by [Law No. 12 of 1999](#);
[The Civil Service Law](#) promulgated by Law No. 1 of 2001;
Council of Ministers Resolution No. 12 of 1997 amending certain competencies of the Department of Ports, Maritime Affairs and Land Transport; and
The draft law submitted by the Council of Ministers;
Hereby promulgate the following Law:

Chapter One

Definitions

Article 1

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

“Authority” means the Customs and Ports General Authority.

“Board” means the Board of Directors of the Authority.

“Director” means the General-Director of the Authority.

Chapter Two

Establishment of the Authority, its Objectives and Competencies

Article 2 (Amended By Law 8/2007)

A general authority called "Customs and Ports General Authority" shall be established with a juristic personality and a budget attached to the State general budget.

Article 3 (Amended By Law 8/2007)

The Authority shall be affiliated to the Council of Ministers and shall be located in Doha.

Article 4

The Authority shall aim to develop and improve the level of services provided in the customs, ports and land transport facilities, and to operate them according to the best methods and standards.

The Authority may, in order to achieve its objectives, exercise the following competencies:

1. Implementing the provisions of laws, bylaws and resolutions relating to the customs systems and the ports and land transport affairs.
2. Controlling all types of goods imported to the country by land, sea or air, at the customs ports of the State.
3. Previewing, valuing and clearing goods permitted to enter the country, collecting customs duties and taxes due in accordance with the provisions of the applicable tariff, and supplying the same to the public treasury of the State.
4. Controlling exported goods, and issuing licences for such goods.
5. Controlling import and export of goods within the postal parcels.
6. Issuing permits for goods in transit (direct and indirect transit) and following up the supervision over them till re-export them, and collecting transit fees prescribed by law.
7. Supervising the free zones, warehouses, and duty free markets within their own regulations.
8. Issuing permits relating to the temporary entry system for imported goods with a view to re-manufacturing or completing their manufacture, as well as to cars and other items and goods that may be entered into the country in accordance with such system.
9. Issuing decisions relating to the additional conditions and applied conditions of the customs tariff.
10. Issuing licences for customs brokers and monitoring their works.
11. Taking all actions and measures to prevent the customs smuggling.
12. Conducting the compounding on customs offences and customs smuggling offenses, in accordance with the rules prescribed by the law.
13. Taking proceedings of administrative and judicial prosecution for customs offences and customs smuggling offences which cannot be compounded.
14. Following up procedures of selling goods that are seized, and those goods that their keeping period in the customs stores or in the yards of the Customs Department has been elapsed, and disposing the proceeds of sale in accordance with law.
15. Managing the ports, harbours, docks and civil marine inlets, carrying out the functions of guiding, towing and mooring, regulating the movement of ships of all types and sizes, and operations related to the loading, unloading and storage of goods, with exception of ports that are excluded by a resolution of the Council of Ministers.
16. Determining the water surfaces for ports and harbours, maintaining the equipment, facilities and navigational aids therein, supervising the safety of navigation in all waterways and docks of the ports and harbours, protecting the same from environmental pollution in coordination with the relevant authorities, and providing all navigational facilities.
17. Registering ships and floating vessels, carrying out inspections over the same, issuing licences and certificates of validity and maritime safety for them and for the equipment found on them, and issuing maritime passports.
18. Controlling the industry for building ships and offshore platforms and facilities in accordance with the rules and standards in effect in international maritime classification authorities.
19. Investigating, in coordination with the competent bodies, the maritime accidents that involve civil and commercial ships in inland waters, territorial seas and the exclusive economic zone, and Qatari ships abroad. Supervising marine debris in inland waters, territorial seas and the exclusive economic zone.
20. Ensuring that shiploads are in conformity to what is stated in the bills of lading and other papers and documents.
21. Proposing prices and tariffs for land and sea transport and freight. Collecting the charges and fees payable for all services provided by the Authority.

22. Controlling national companies working in the field of navigation, sea transport, and maritime agencies for transport and services.
23. Setting the rules and conditions that regulate the obtaining of maritime certificates for ships, marine certificates of competence for captains, navigation officers and engineering officers, and monitoring their application.
24. Issuing seas cards to non-Qatari workers in the Qatari commercial ships, and determining their form and data that shall be included therein, their duration, extraction fees and obtaining and renewal conditions.
25. Setting conditions that shall be met in the transportation means used in the practice of licensed activities in coordination with the competent bodies.
26. Inspecting offices, institutions, companies and land transportation means.
27. Preparing studies and statistics related to its activity aspects.
28. Representing the State in meetings and conferences and in all activities carried out by international organisations in matters relating to its activity.
29. Proposing draft laws and bylaws relating to the customs, ports and land transport affairs.

The Authority shall be managed by a Board of Directors comprising a chairperson, a vice-chairperson, and not fewer than three (3) and not more than seven (7) members whose appointment and remuneration shall be by an Emiri resolution.

The Board shall have a secretary chosen by the Board and shall determine his duties and remuneration.

Article 6

The term of the Board shall be for four (4) years, renewable for a similar period(s).

Article 7

The Board shall exercise the necessary powers and competencies to manage the affairs of the Authority and achieve its objectives, in particular the following:

1. Laying out and supervising the implementation of the general policy of the Authority.
2. Adopting plans, programmes and projects for the Authority and following up their implementation.
3. Developing an investment system for the Authority's fund.
4. Adopting the organisational structure of the Authority, and issuing the administrative, financial and technical bylaws, and the personnel bylaw, without complying with the government regulations in force in the State.
5. Adopting the Authority's annual budget and its final balance sheet.
6. Proposing fees and charges for services performed by the Authority.
7. Approving draft contracts and agreements in which the Authority is a party, in accordance with the terms and conditions prescribed by the Authority's bylaws.
8. Borrowing from the government or the public or private financial institutions in the State with the objective of achieving the Authority's purposes.
9. Accepting legacies, donations, grants and gifts given to the Authority that are not conflicting the purposes thereof.
10. Examining periodical and follow-up reports pertaining to work progress.

The Board's resolutions stipulated in Items 3, 4, 5, 6, 7 and 8 above shall not be effective until being approved by the Council of Ministers.

Article 8

The Chairperson of the Board shall represent the Authority before the judiciary and in its relations with third parties.

Article 9

The Board shall convene at least four meetings per year upon an invitation by its Chairperson and whenever requested by three of its members.

Board meetings shall not be valid unless attended by the majority of its members, provided that one of them is the Chairperson or Vice-Chairperson.

Article 10

Board sessions shall be confidential, with no deputation or voting allowed. The Board's resolutions shall be taken by majority vote of members present. Where there is a deadlock, the Chairperson shall have a casting vote.

Article 11

Minutes of meetings and resolutions of the Board shall be recorded in a special numbered register which shall be signed by the Chairperson and the Secretary.

Article 12

The Board may invite to attend its meetings those of the Authority's employees deemed fit to assist the Board, or it may invite others with relevant expertise and competence. The invitees may participate in discussions but shall have no right to vote.

Article 13

The Board may form permanent or temporary committees from among its members to assist in studying issues brought before it. The Board may include in such committees members either from within or outside the Authority.

Article 14

The Chairperson shall have the power to sign on behalf of the Authority. The Board shall have the right to delegate such power to the Director-General or other employees of the Authority, individually or collectively, in any affairs as may be determined by the Board.

Article 15

The Authority's stamp on its documents shall not be deemed recognised unless coupled with the signature of the Chairperson or a duly authorised person.

Article 16

Neither the Chairperson of the Board, any member of its members, nor any employees of the Authority may have a direct or indirect personal interest in contracts concluded with the Authority or for its benefit, or in projects it undertakes.

Article 17

The Authority shall have a Director-General whose appointment shall be by virtue of a resolution issued by the Board. Under the Board's supervision and within the framework of the Authority's general policy, the Director-General shall undertake the disposal of all of the Authority's technical, administrative and financial affairs in accordance with the Authority's bylaws and regulations, and within the limits of the annual budget. The Director-General may in particular undertake the following:

1. Proposing plans, programmes and projects for the Authority, and preparing job description cards, a draft organisational structure and internal bylaws for the Authority.
2. Preparing an annual report on the achievements and work programmes of the Authority and submitting it to the Board at the end of each fiscal year.
3. Preparing the Authority's estimated annual budget and its final balance sheet.
4. Performing any other works assigned to him by the Board in accordance with the provisions of this Law.

Chapter Four

Financial System

Article 18

The Authority may invest some of its funds in fields consistent with the nature of the services it provides, and it may contract with companies or entities that engage in activities similar to its activities or assist the Authority to achieve its objectives, or participate with it in any aspect.

Article 19

The financial resources of the Authority shall comprise the following:

1. Funds and appropriations assigned by the State.
2. Revenues earned from the exercise of its activities.
3. Returns from investing the funds.
4. Loans.
5. Gifts, endowments, donations and grants.

Article 20 (Amended By Law 8/2007)

The Authority shall have an estimated annual budget prepared in the form of the ministries and other government agencies budgets.

The Authority's fiscal year shall begin on the first day of April and end on the last day of March of each year, and the first fiscal year shall begin from the date of this Law come into force and end on the last day of March of the following year.

Article 21

The Board may appoint one or more auditors. The auditor shall at all times have the right to inspect any of the Authority's account books, records and documents, and to request any information he deems necessary for the proper performance of his duties.

The auditor shall also have the right to investigate the Authority's assets and liabilities, and in the case of a lack of supporting evidence in the course of performing such investigation, the auditor shall submit a report thereon to the Board.

Article 22

The Board shall submit to the Council of Ministers a detailed report on the Authority's activities, projects, functions and financial position not later than three months from the date of the end of the fiscal year, and such report shall include the Board's suggestions and recommendations and a copy of the auditor's report.

Chapter Five

General Provisions

Article 23

The Council of Ministers may at all times request the Authority to submit reports on the Authority's administrative, financial, and technical status, or any of the aspects of its activities, or any information related thereto.

The Council of Ministers may issue general guidance on what the Authority shall follow in matters relating to public policy, and the Board shall comply with such guidance.

Article 24

The Authority may be fully or partially exempted from taxes and fees by virtue of a resolution of the Council of Ministers.

Article 25

With regard to any matter for which there is no specific provision in this Law or the Authority's internal bylaws, the Law of Civil Service shall apply to employees of the Authority.

Article 26

All rights and liabilities of the Ministry of Finance, Economy and Commerce relating to the Department of Customs, and all rights and liabilities of the Ministry of Communications and Transport relating to the Department of Ports, Maritime Affairs and Land Transport, and all financial appropriations assigned thereto shall be devolved to the Authority.

Article 27

Employees of the Department of Customs and the Department of Ports, Maritime Affairs and Land Transport shall be transferred to the Authority with the same grades and all employment rights and privileges.

The Ministry of Civil Service Affairs and Housing shall regulate the status of employees who are not transferred to the Authority.

[Article 28 \(Amended By Law 8/2007\)](#)

The staff of the Authority for which a decision by the Public Prosecution, in agreement with the President of the Authority, shall have the capacity of the judicial enforcement officers in relation to the acts committed in violation of the provisions of the legislations regulating the customs, ports and land transport.

Article 29

The organisational structure of the Authority and the determination of the departments of which the Authority is composed and the assignment of their competencies shall be issued by a resolution of the Council of Ministers upon proposal of the Board.

Sections within the administrative units forming the Authority may be established by a decision of the Board which may assign the competencies of such sections and may amend them by way of addition, cancellation or merger.

Article 30

The Council of Ministers, upon the proposal of the Board, shall issue resolutions necessary for implementation of the provisions of this Law. Until the issuance of such resolutions, the resolutions in force shall continue to be applied where they do not contradict the provisions of this Resolution.

Article 31

Each provision that violates the provisions of this Law shall be rescinded.

Article 32

All competent authorities, each within its own jurisdiction, shall enforce this Law which shall come into force as of 25 October 2001 and shall be published in the *Official Gazette*