

Law No. 36 of 2004 Establishment of the Supreme Council for Communication and Information Technology (SCCIT) 36 / 2004

Number of Articles: 29

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We, Hamad Bin Khalifa A1-Thani, Emir of the State of Qatar;

Pursuant to the Amended Provisional Constitution particularly Articles 23, 27 and 34 thereof; Law No. 2 of 1962 regulating the General Financial Policy in Qatar as amended by Law-Decree No 19 of 1996;

Law No. 5 of 1970 on the Powers of Ministers, the Jurisdictions of the Ministries and other Governmental Bodies, as amended;

Law No. 13 of 1987 establishing Qatar Public Telecommunication Corporation, Law No. 5 of 1989 on the State General Budget;

Law No. 21 of 1998 on the transformation of Qatar Public Telecommunication Corporation to Joint Stock Company, The Civil Service Law No. 1 of 2001;

The Emiri Decision No. 26 of 2002 establishing the Information Technology and Communication Committee;

The Emiri Decision No 19 of 2003, establishing the Steering Committee of the Information Technology and Communication Project; and

The draft law as presented by the Council of Ministers;

Have issued the following Law:

Chapter One

Definitions

Article 1

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

The Supreme Council means the Supreme Council of Communication and Information Technology.

The Board means the Board provided for in article 6 of this Law.

The General Secretariat means the General Secretariat of the Supreme Council.

The Secretary General means the Secretary-General of the Supreme Council.

Communication means the delivery, transmission broadcasting or reception of writing, signals, signs, pictures, and sounds or any data or information of

any kind by wire line, wireless, optic, electromagnetic or other means of communication.

Communication Network means a system or set of systems used to provide communication services.

Information Technology means the use of computer application systems including hardware, software, and communication Networks for wire line and wireless communication in the management processing and communication of information.

Chapter Two

Violation of Residences and Properties of Others

Article 2

The Supreme Council shall be established and shall be called The Supreme Council of Communication and Information Technology (SCCIT). SCCIT shall have a legal personality, a budget to be annexed to the State General Budget and a domicile in Qatar.

Article 3

The Supreme Council aims to regulate two sectors of Communication and Information Technology and to create an advanced Information Community by preparing a suitable environment of infrastructure and a community capable of using communication and information technologies

Article 4

The Supreme Council shall, in its capacity as the highest competent authority in the affairs of communication and information technology, exercise the following powers and authorities in particular:

1. Regulates the two sectors of Communication and Information Technology in the State of Qatar.
 2. Develops the Strategic National Vision for the two sectors of Communication and Information Technology.
 3. Lays down the policies for the two sectors of communication and information Technology and to link such policies to the Strategic National Vision within the frame work of the State general policy and to supervise the implementation of such policies.
 4. Coordinates all national initiatives aiming to achieve the strategic vision of the State of Qatar in the two sectors of Communication and Information Technology and to supervise the implementation of such initiatives.
 5. Represents the State in all local, regional and international bodies, organizations, conferences, meetings and seminars on Communication and Information Technology.
 6. Creates a legal and regulatory environment capable of using the Communication and Information Technology as a change factor leading to social and economic development.
 7. Encourages the community to use the communication and information technology.
 8. Contributes to programs and studies relating to the two sectors of Communication and Information Technology by fully or partially financing such programs and studies.
 9. To follow up, evaluate, measure and develop the two sectors of Communication and Information Technology.
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Article 5

In order to achieve its objectives and exercise its powers and authorities, the Supreme Council shall undertake the following:

1. Propose draft laws and regulations relating to the two sectors of Communication and Information Technology.
2. Set the conditions and standards for licensing of Communication and Information Technology services and the use of frequencies.
3. Issue licenses for Communication and Information Technology services and the use of frequencies.
4. Set standards of performance for different Communication and Information Technology services and monitor compliance of licensed providers of such services with such standards.
5. Set principles and standards determining tariffs, prices and charges of Communication and Information Technology services offered by licensed providers of such services to customers.
6. Encourage investment in services and equipment of Communication and Information Technology and encourage and create a suitable environment for fair and effective competition.

Article 6

A Board of Directors consisting of the Heir Apparent as Chairperson, a deputy Chairperson, several knowledgeable members and stakeholders in Communication and Information Technology, shall assume the management of the Supreme Council. The Board of Directors shall be enacted by an Emiri Decision which shall appoint members and determine remuneration thereof. The Board of Directors shall have a secretary and shall determine his/her duties and remuneration.

Article 7

The tenure of membership of the Board of Directors shall be 4 years renewable for a similar period(s).

Article 8

The Board of Directors shall have the following powers and authority in pursuit of its objectives:

1. To set the general policies of the Supreme Council and supervise their implementation.
2. To approve plans, programs and projects of the Supreme Council and supervise their execution.
3. To approve the Organizational Structure of the Secretariat - General of the Supreme Council.
4. To issue the technical, administrative, and financial regulations of the Supreme Council as well as the regulation of personnel.
5. To approve the annual budget of the Supreme Council and final statement of accounts.
6. To determine fees and charges of the services offered by the Supreme Council.
7. To approve contracts and agreements in which the Supreme Council is party in accordance with the regulations of the Supreme Council..
8. To solicit funds from government, public or private financial institutions for the purpose of achieving set objectives.
9. To look into periodical and progress business reports of the Supreme Council..

The decisions of the Board of Directors on matters mentioned in paragraphs 3, 4, 5, 6 and 8 shall not come into effect until approved by the Emir.

Article 9

The Board of Directors shall convene by an invitation from the Chairperson, at least four times a year or as circumstances may require. The meeting of the Board shall not be valid unless a majority of its members including either the Chairperson or deputy Chairperson is present. The Board shall take decisions by a majority vote and in case the votes are evenly divided, the president vote shall be decisive.

Article 10

Minutes and decisions of the Board meetings shall be recorded in a special register with numbered pages and shall be signed by the Chairperson and the Secretary.

Article 11

The Board may invite, for its meetings, any of the SC staff the Board sees fit, other staff of the Supreme Council, any other staff from the Government, or any expert. Those invited shall have no right to vote.

Article 12

The Board may form, from amongst its members or from other persons, permanent or temporary committees as deemed necessary to study matters presented by the Board.

Article 13

The Chairperson of the Board shall have signatory powers on behalf of the Supreme Council. The Board may delegate to the Secretary-General or any of the staff of the Supreme Council powers to sign, severally or jointly, in respect of matters specified by the Board.

Article 14

The seal of the Supreme Council have no effect when affixed on any document unless it is coupled with the signature of the Chairperson or any person duly authorized thereto.

Article 15

The Chairperson of the Board, his deputy or any member of the Board or any staff of the Supreme Council may have no direct or indirect personal stake in any contract which is made by the Supreme Council or for himself or in any project which is executed thereby.

Chapter Three

The General Secretariat

Article 16

The Secretariat of the Supreme Council shall be headed by a Secretary- General to be appointed by an Emiri Decision on nomination by the Chairperson of the Board. The Secretary - General shall attend the meetings of the Board but shall have no voting rights.

Article 17

The Secretariat -General shall be the executive organ of the Supreme Council and shall carry out its business under the supervision of the Board and within the general policy of the Supreme Council. The Secretariat -General shall discharge all the technical, administrative and financial business of the Supreme Council in accordance with internal regulations and within the limits of the approved annual budget.

Article 18

The Organizational Structure of the Secretariat- General shall be issued by a decision of the Chairperson which shall also determine the authorities of the Secretary - General, the departments of which the Secretariat - General is composed, the authorities of such departments and any amendments made to them. Sections within the departments forming the Secretariat - General may be established by a decision of the Chairperson which may determine the authorities of such sections and may amend them by way of addition, cancellation or merger.

Article 19

The Secretary - General shall represent the Supreme Council before courts and in its relation with others.

Chapter Four

Finance

Article 20

The financial resources of the Supreme Council shall consist of the following:

1. Financial funds allocated thereto by the Government in the General Budget.
 2. Money gained from its activities.
 3. Loans obtained from others.
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Article 21

The Supreme Council shall have an annual estimated budget to be proposed in accordance with the internal regulations and a special account in which its money is deposited. The fiscal year of the Supreme Council shall commence on the first of April and end on the last day of March of each year. The first fiscal year shall commence as of the date this Law comes into effect and shall end on the last day of March in the next year.

Article 22

The Board shall appoint one or more financial controllers. The financial controller shall, at all times, have the right to review all the books, records and other documents of the Supreme Council to order the provision of any information which he/she may think necessary for proper discharge of his/her duties and to examine the assets and liabilities of the Supreme Council. Should the financial Controller not be able to exercise these rights, he/she shall report the same to the Emir.

Chapter Five

General Provisions

Article 23

The Board shall submit to the Emir a detailed report of the activities, projects, progress of work and financial status of the Supreme Council, within 3

months as of the end of the fiscal year, containing the Supreme Councils proposals and recommendation accompanied by the report of the financial controller.

Article 24

The Emir may, at any time, order the Board to submit reports on the administrative, financial and technical status of the Supreme Council or on any aspect of its activities or on any information relating to the board. The Emir shall have the right to issue directives to the Supreme Council on all matters relating to the general policy.

Article 25

The Supreme Council may be fully or partially exempted from taxes and fees by a decision of the Emir.

Article 26

The Civil Services Law shall apply to the employees of the Supreme Council on any matters not provided for in this law or in the internal regulations of the Supreme Council..

Article 27

The Chairperson of the Board shall issue the regulations and decisions necessary for the enforcement of this Law. Furthermore, until such regulations and decisions are issued,, the current rules and practices shall continue provided they are not in conflict with the rules of this Law.

Article 28

All rules conflicting with this Law are hereby repealed.

Article 29

All competent authorities, each within its jurisdiction, shall enforce this law which shall come into effect on the day of its issuance and shall be published in the *Official Gazette*.
