

LAW NO. (19) OF 2005

REGULATING THE PRACTICE OF ENGINEERING PROFESSIONS

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

After having perused the Amended Provisional Constitution, particularly Articles (23), (34) and (51) thereof;

Law No. (4) of 1985 Regulating Buildings, as amended by Law No. (18) of 1987;

Law No. (7) of 1988 on Regulations for Practicing Independent Professions by Citizens of the Gulf Cooperation Council (GCC) for the Gulf Arab States of the Gulf of in the State of Qatar;

Law No. (13) of 2000 Regulating Investment of Non-Qatari Capital in the Economic Activity and laws amending it;

Law No. (11) of 2001 Regulating the Practice of the Engineering Profession, and the laws amending it;

Law No. (15) of 2004 Establishing the General Authority for Urban Planning and Development, as amended by Law No. (9) of 2005;

The Draft Law submitted by the Council of Ministers; and

After taking the opinion of Advisory Council, (Majlis a-Shoura);

Have decided the following law:

CHAPTER ONE DEFINITIONS

Article (1)

In applying the provisions of this Law, unless the context requires otherwise, the following words and phrases shall have the meanings assigned to each of them.

The "Authority" : "General Authority for Planning and Urban Development".

The "Board of Directors" : the Authority' s Board of Directors.

The "Director General" : the Authority' s Director General.

The "Engineering Professions" : the engineering activities practiced by those qualified in the divisions and branches of the specializations of architectural, civil, electrical, mechanical, and chemical engineering, mines and mining and the various other fields of engineering.

The "Engineering Consultancies": the works of preparing architectural and constructional drawings, diagrams, designs, and surveying, diagramming; supervising over performance; giving advice; conducting feasibility studies; estimating costs and computing quantities; and managing projects in the various engineering professions.

The "Committee" : the Committee for the Enrollment of Engineers and Engineering Consultancy Offices.

The "Engineer Responsible" : the Engineer responsible for giving opinion on the engineering and technical matters, signing and certifying the designs and contracts and the engineering and technical works carried out by the local and international Engineering Consultancy Offices.

CHAPTER TWO THE COMMITTEE FOR ENGINEERS REGISTRATION AND ENGINEERING CONSULTANCY OFFICES

Article (2)

A permanent Committee to be called "the Committee for the enrollment of Engineers and Engineering Consultancy Offices" shall be formed in the Authority and constituted as follows:

Two engineers from the authority one of whom shall be Chairman.

one engineer from the Ministry of Energy and Industry , Member

One engineer from the Ministry of Municipal Affairs and Agriculture, Member.

One engineer from Qatar General Electricity and Water Corporation, Member.

One engineer from Qatar Petroleum, Member.

One engineer from the Public Works Authority, Member.

One engineer from Qatar Telecommunication Co., Member.

Two engineers from the Engineering Consultancy Offices, Two Members.

Each body shall select its representative in the Committee. A decision of Council of Ministers naming the Chairman and Members of the Committee shall be issued. The membership in the Committee shall be for three years renewable for another period or periods by decision of the Council of Ministers which may reform the Committee. The Committee shall make the internal regulations to organize its own works.

Article (3)

The Committee shall be entrusted with the acceptance and registration of Engineers and Engineering Consultancy Offices, and with determining the Engineering Professions according to their technical specializations, and the Committee shall classify the engineers and Local and International Engineering Consultancy Offices of each specialization into categories, specifying the volume and kind of engineering works to be practiced by each category.

Article (4)

The following registers shall be established in the authority:

Register of the Engineers

Register of the Local Engineering Consultancy Offices.

Register of the International Engineering Consultancy Offices.

The Director General may, upon the Committee's proposal, establish sub-registers to these Registers. The forms of registers and the method of enrollment therein shall be issued by decision of the Director General upon the Committee's proposal.

Article (5)

Without prejudice to the provisions of Law No (7) of 1988 referred to, enrollment in the Registers provided for in the preceding Article must be subject to the following conditions:

First: Conditions of Enrollment in Register of the Engineers:

To be Qatari citizen or one of the residents in the State.

To hold a bachelor of engineering or equivalent degree from one of the recognized universities or institutes.

To have full civil capacity.

To have good reputation and character, and not to have been finally convicted for a felony or punished with a freedom restricting sentence for an offence

involving morality and honesty, unless acquitted.

To have passed technical ability tests in the field of his specialization, according to the rules and regulations issued by a decision from the Board of Directors upon the Committee's recommendation.

Second: Conditions of Enrollment in the Register of Local Offices of Engineering Consultancies:

The office must be owned by Qatari, natural or juristic persons.

The engineers working for the office must be entered in the Engineers Register and have the experience as determined by the implementing regulations for this Law.

The office must designate one engineer, or more, to be responsible according to the rules and standards determined by the implementing regulations for this Law.

Third: Conditions of Enrollment in Register of International Offices of Engineering Consultancies:

The office must be a branch of main office abroad licensed to practice the engineering consultancy profession in the State in which the license is issued. Ten years at least must have passed following the issuing of such license during which the main office has continuously been working in the engineering consultancy profession.

The office applying for the license must provide an undertaking from the main office certified by the concerned Qatari Embassy, containing its obligation to support the office applying for the license and to bear all obligations arising from practicing the engineering consultancy profession in the State, and must prove, with official documents, the memorandum of association of the main office, and articles, if any, its activity, financial ability, and the works which it performed outside the State.

The Engineer Responsible of the branch office must be entered in the Engineers Register and must have a certificate from one of the recognized universities or institutes indicating his specialization in one of the divisions of engineering in which the office is requested to be registered, provided that his professional experience must not be less than ten years, and the other engineers working in the office shall meet the conditions determined by the implementing regulations for this Law.

Article (6)

Registration of companies which may be formed by natural and juristic persons to practice the Engineering Consultancy Profession, in the local Engineering Consultancy Offices must be as follows:

Contribution of the Qatari partners to the capital must not be less than 51%. The non-Qatari partners must be from the engineers enrolled in Register of Engineers or from the Offices working in the field of Engineering Consultancies.

Article (7)

No Engineering Profession may be practiced except after enrollment in the

Register of Engineers, and no Engineering Consultancies may be practiced except after enrollment in the Register of of Local or International Offices of Engineering Consultancies. Enrollment in the Register is considered as an authorization to practice the profession, and the Engineer or Engineering Consultancy Office must not work in a specialization or classification other than that licensed for each of them.

Article (8)

The Offices of Engineering Consultancies may not assign the license issued to them except after obtaining the Committee's approval, provided that the assignee shall meet all the conditions required according to the provisions of this Law.

Article (9)

As an exception to the provisions of Articles (5), (6) and (7) of this Law, the Board of Directors may permit non-Qatari natural and juristic persons to practice the Engineering Professions in some of the unique technical specializations which are not available in the State or which require experience and technique necessary for development purposes.

CHAPTER THREE PROCEDURE FOR ENROLLMENT IN THE REGISTERS

Article (10)

The order for enrolling in the Register shall be made on the application form designed for this purpose, attached with the supporting documents, according to the provisions of this Law.

The Director General shall, upon the proposal of the Committee, issue by decision the forms of the applications for enrolment in the Register, which shall be effected after verifying that the conditions necessary for enrollment are satisfied.

The enrollment must not be effected except after the prescribed fees have been paid. The applicant must be given an official certificate signed by the Chairman of the Committee indicating enrollment in the Register.

Article (11)

The period of enrollment in the Register shall be two years, and the enrollment must be renewed within thirty days after its expiration. Non-renewal will result in deleting the name from the Register after the violator is warned with a registered letter, and thirty days have passed since the date of warning.

The deletion of name shall be by the Committee's decision which shall be notified to the violator; and in this case, the re-enrollment cannot be made except after the fees of a new enrollment are paid.

Article (12)

The fees for enrollment and renewal thereof in each Register shall be determined by a decision from the Director General upon the proposal of the Committee. This decision shall not be applicable except after having been approved by the Board of Directors.

Article (13)

The Committee's decision on refusing applications for enrollment, specifying the specialization and category, transferring the name from one register to the other or deleting it, shall be reasoned, and the concerned person shall be notified with a registered letter.

The applicant whose application for enrollment has been refused, or whose name has been transferred from one register to another, or who has been not placed under his specialization or not classed under his category, or whose enrollment has been crossed out, may complain to the Director General within thirty days from the date on which he received the notice. In cases other than refusal of enrollment, the Director General may, upon complainant's request and before disposal of the complaint, order the stay of execution of the decision complained against until disposal of the complaint. The decision shall be given after hearing the complainant within thirty days as of the date of application. Lapse of such period without deciding on the complaint shall be considered as refusal thereof. The decision issued on the complaint shall be final.

CHAPTER FOUR RIGHTS AND DUTIES

Article (14)

The engineer whose name has been enrolled in the Register of Engineers may not practice the profession except after taking oath before the Committee in the following form:

(I swear by Allah Almighty to perform my work with honor and honesty and maintain the secrecy of the profession and to respect its morals and traditions). The taking of oath shall be recorded in the minutes of the Committee's meeting.

Article (15)

The Offices of Engineering Consultancies practicing the profession in the State shall have premises suitable for practicing their works, and shall notify the Committee of the address of such premises and of any change thereto within fifteen days from the date of such change.

Article (16)

The engineer enrolled in the Register of Engineers shall mention his name and his enrollment number in the Register on all the drawings, designs and reports which are prepared by the office where he works and which he may have designed, prepared, or participated in. The engineer may not copy any design made by another engineer except by the written consent of the owner thereon.

Article (17)

The owners of the Engineering Consultancy Offices, the partners thereof and the engineers working therein are prohibited from engaging in carrying out contracting works, trading in building materials, or other materials related to the execution of projects of any size or kind or in any other profession conflicting with their profession, or from seeking to obtain any work of their profession in a manner inconsistent with the profession ethics or traditions.

Article (18)

The owners of the Engineering Consultancy Offices, the partners thereof, and the engineers working therein are prohibited from working in any of the ministries, other governmental organs, or public authorities and institutions.
Article (19)

The Offices of Local and International Engineering Consultancies shall keep the originals of the studies, reports, drawings, and designs prepared by them for a period not less than ten years after finalizing their preparation.
Article (20)

Ministries, other governmental organs, public authorities and institutions, or companies and individuals may not entrust engineering consultancy works except to the Offices of Engineering Consultancies licensed to practice the profession according to the provisions of this Law. The bodies referred to may not accept engineering reports, drawings, designs, or diagrams unless they are signed by the Engineer Responsible in any one of these offices.
Article (21)

No engineer or the Engineering Consultancy Office may take any judicial actions against another engineer or Engineering Consultancies Office by reason of one of the profession works before obtaining a written permission from the Committee; and if such permission is not issued within one month from the date of requesting it by a registered letter, then the engineer or the office may take such actions.

CHAPTER FIVE DISCIPLINE

Article (22)

The Committee may, on its own motion or upon complaint made to it, conduct investigation with the Engineers enrolled in Register of the Offices of Engineers and the Engineering Consultancies licensed to practice the profession, on acts which are likely to injure the honor and dignity of profession or offend its traditions, or which entail negligence of duties or violate a provision of this law, its implementing regulations, or decisions. The Committee may appoint one or more of its Members or the Authority's engineers to conduct the investigation with the violator.

In conducting the investigation, the investigator may use the assistance of those with experience from Authority's engineers, other officials of the government, public authorities, or public institutions.

In all cases, the investigation must be in writing and submitted to the Committee coupled with investigator's opinion.

Article (23)

The Committee may decide to file the investigation or commit the violator to the First Instance Disciplinary Board within thirty days from the date of submitting the investigation to it.

Article (24)

The First Instance Disciplinary Board shall be constituted under the presidency of a judge from the court of first instance to be selected by the Supreme Judicial Council and with the membership of an engineer from the

Authority and another engineer from one of the Engineering Consultancies Offices both to be selected by the General Director. The meeting of the Board shall not be valid unless it is attended by all of its Members.

Article (25)

The First Instance Disciplinary Board shall decide on the violations after giving notice to the violator to attend before it, at least fifteen days prior to the date assigned for holding the session by a registered letter containing summary of the violations attributed to him, the date, time, and place of holding the session. The Board sessions shall be closed sessions.

Article (26)

The violator may make his defense verbally or in writing by himself or by one of his profession practicing colleagues whom he authorizes or by a lawyer. The Board may decide that the violator should attend in person, and if he fails to attend despite being notified, the decision may be taken in his absence.

The Board shall issue its decision by majority of Members and the decision must be reasoned.

Article 27

The disciplinary penalties which may be imposed on the violating engineer are:

1. Warning.
2. Suspension of practicing the profession for a period not exceeding one year.
3. Deleting the name from the register.

The disciplinary penalties which may be imposed on the violating Local or International Engineering Consultancy Offices are:

1. Warning.
2. Suspension of practicing the profession for a period not exceeding one year and a fine not exceeding fifty thousand riyals (50,000.00) or one of these two penalties.
3. Deleting the office from the register.

Article (28)

The violator may complain against the decision of the First Instance Disciplinary Board before the Appellate Disciplinary Council within (15) fifteen days from the date of issuing the decision of the First Instance Disciplinary Board and his notification therewith.

The complaint must be presented to the Appellate Disciplinary Board in a paper containing the reasons for contesting the decision.

Presentation of complaint in time shall result in staying execution of the penalty until the complaint is disposed of by the Appellate Disciplinary Council.

Article (29)

The Appellate Disciplinary Board shall be formed under the presidency of one of the appellate court judges selected by the Supreme Judicial Council and the membership of an engineer from the Authority and an engineer from one of the

Engineering Consultancy Offices both selected by the Director General, provided that no one who conducted the investigation or was a member of the First Instance Disciplinary Board shall participate in the Board. The meeting of the Council shall not be valid except by the attendance of all its members. The Appellate Disciplinary Board may affirm, commute, or annul the disciplinary penalty and shall issue its decision by the majority of its Members, and its decision shall be final in this respect.

Article (30)

The Engineers, enrolled in the Register of Engineers, and the Offices of Engineering Consultancies may not be subjected to disciplinary action for violations which have come to the knowledge of those concerned since three years before.

Article (31)

Final disciplinary judgments and decisions shall be entered in a special record made for this purpose, and their content shall be transcribed in the Register of the Engineer concerned or the Engineering Consultancies Office as the case may be.

The Committee shall notify all ministries, the other governmental organs, and public authorities and institutions of the final disciplinary judgments and decisions introduced for deletion or suspension from practicing the profession or imposing fine.

Article (32)

Any one against whom a final disciplinary decision has been passed for deleting his name from the Register wherein the name it is enrolled may apply to the Committee after three years at least from the date of passing such decision for re-enrolling his name in the Register.

The Committee shall, within thirty days from the date of filing the application, deliver its decision on either re-enrolling or refusing to reenroll his name in the Register.

In case of refusal, the Engineer or the Office of Engineering Consultancies may not submit another application except after the elapse of one year at least from the date of the refusal decision.

The same procedures provided for in this Law shall be followed in submitting the application for re-enrollment.

CHAPTER SIX PUNISHMENTS

Article (33)

Without prejudice to any severer punishment provided for by another law, a punishment with imprisonment for a period not exceeding three years and a fine not exceeding fifty thousand Riyals or one of them shall be imposed upon any one who has:

1. Practiced one of the Engineering Professions without license or falsely personated an engineer.
2. Practiced the profession after deleting his name from the Register where it was enrolled or after his suspension from practicing the profession.

3. Published, broadcast an advertisement, or other means of publicity with the intent of leading the public to believe that he holds the right to practice the Engineering Profession though not being enrolled in the Register, or his name has been stricken off, or he has been suspended from practicing the profession.

4. Succeeded to enroll his name in one of the Registers of the Engineering Professions by giving false information or providing certificates not conforming to reality.

The court may, according to the circumstances, decide to close down the office, remove the plates, destroy advertisements and other means of publicity and delete the name from the Register where it is enrolled. The Committee shall be notified of the decision.

Article (34)

If the committer, or the one responsible for the crime, is a legal person, the punishments provided for in the preceding Article shall apply to its legal representative, who shall be excused from punishment if he proved that the crime occurred without his knowledge or against his will.

CHAPTER SEVEN GENERAL AND TRANSITIONAL PROVISIONS

Article (35)

The provisions of this Law shall not apply to the following categories:

1. The engineers to whom the State temporarily entrusts engineering works of special technical nature required by the public interest under a special agreement specifying the nature of work and time required to perform it. They shall be exempted by a decision issued by the Board of Directors, provided that the period for exempting them from the application of the provisions of this Law shall not exceed the period for performing the work agreed upon.

2. The engineers working in ministries, authorities and public institutions regarding their works which they are carrying within the scope of their employments.

Article (36)

The Engineers and Engineering Consultancies Offices practicing Engineering Professions shall, when this Law comes into force, adjust their situations according to its provisions and enroll their names in the Registers pertaining to each of them within six months from the date of application of this Law. They may not continue to work after that date unless they are enrolled in the Registers referred to.

Article (37)

The Board of Directors shall issue the regulations for implementing this Law within a period not exceeding four months from the date of its application and shall issue the decisions necessary to implement its provisions, and until such regulations and decisions become effective, the decisions currently applicable shall continue in force without contradicting the provisions of this Law.

Article (38)

Law No. 11 of 2001 referred to is hereby repealed, and every provision contradicting the provisions of this Law is invalidated.

Article (39)

All concerned bodies, each within its competence, shall enforce this law, which shall be published in the Official Gazette.

Hamad Bin Khalifa Al-Thani
Emir of the State of Qatar

Issued at the Emiri Diwan

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Corresponding 21/04/2005

