

The new Qatari Tourism Law – an overview



**By Fouad Haddad and
Feras Alkasab**

On August 7th, 2012, Qatar passed Tourism Law No. 6 of 2012 (the Tourism Law) superseding Law No. 7 of 1982. The law covers the hospitality industry, including hotels and resorts, as well as tourism facilities, tourism activities and tourist guides.

The Tourism Law requires all hotels to be licensed by the Qatar Tourism Authority (the QTA) and the Ministry of Business and Trade (the MBT) and imposes a classification regime for hotels based on the facilities and services they provide. Hotels will be licensed for three-year periods while tourism facilities will receive one-year licences.

Licensing and obligations

The Tourism Law prohibits the unlicensed construction of any hotel or tourist installation or practice of any tourism activity. The required licensing is handled by the QTA which is tasked with evaluating and ruling on licence applications within 30 days of application.

Following a temporary provisional licence, a non-provisional licence is issued for three years in the case of Hotel Installations and one year for Tourism Installations and Activities. The licence can be renewed for one or more periods of the same duration with licence fees to be set by the MBT.

Article (7) of the Tourism Law notes that the Minister of Business and Trade has the discretion and authority to suspend the issuance of new licences for periods of up to six months with additional six-month suspension periods being subject to the approval of the Counsel of Ministers.

The Tourism Law sets out a number of obligations with which a licensee must comply. For example, a licensee may not make any changes to the licensed facilities or installations without QTA approval. Additionally, a licensee may not make any changes to a licensed installation's trade name, ownership or management without first notifying the QTA. Other licensee obligations include providing customers with line-item bills, taking necessary environmental protection measures and obtaining any required licences from other government entities with respect to on-premises activities.

Notably, the law requires licensees to provide the QTA with their tourism marketing and promotional programs and related implementation details no less than 15 days prior to the publication of such programs (the program details to be kept confidential by the QTA). Licensees are

also obligated to provide the QTA with copies of any agreements with other hotel and tourism installations within or outside Qatar.

Classification of hotels and tourism facilities

Under the new law, hotels and tourism installations will be classified into different grades based on a classification guide to be issued by the QTA President. Each installation must prominently display the grade it has been given. Re-classification requests can be made to the QTA each January.

Tourist guides

The Tourism Law introduced for the first time, provisions covering the licensing and regulation of the tourist guide profession. The new law requires all tourist guides to be licensed with the licensing procedures, terms and requirements to be set out by the QTA. Initial and renewal licence fees together with tourist guide salaries and the number of licences to be issued per tourist area are to be set by the Minister of Business and Trade.

Penalties

An issued licence may be suspended for a number of reasons, including any of the following:

- Failure to conduct the licensed activity for a continuous six-month period.
- Operating outside the scope of the issued licence.
- Failure to meet one of the licence conditions.
- The total or partial destruction of the building housing the installation.
- Re-locating the installation without notifying the QTA.
- Final court order closing the installation.

As noted above, in addition to closure of the offending installation, the penalties for violating the provisions of this law include imprisonment of up to one year, a fine of up to QR 100,000 or both.

The new Tourism Law marks a significant addition to the existing laws and regulations covering tourism with specific licensing and classification requirements that the tourism industry will need to take into consideration. Current reports indicate that implementation of the Tourism Law will begin during the second quarter of next year. Existing hotel and tourism installations will have six months from the implementation date to comply with the provisions of this law.

Clyde & Co LLP

Qatar Financial Centre, West Bay, Doha, Qatar
PO Box 31453

Tel: (974) 4496 7434 | Fax: (974) 4496 7412

Email: fouad.haddad@clydeco.com

feras.alkasab@clydeco.com

www.clydeco.com