

Law No. 18 of 2020 amending certain provisions of Labour Law No. 14 of 2004

We, Tamim bin Hamad Al Thani, Emir of the State of Qatar,

Having perused the Constitution,

The Labour Law promulgated by Law No. 14 of 2004 and the laws amending it,

The proposal of the Minister of Administrative Development, Labour and Social Affairs,

And the draft law submitted by the Council of Ministers,

Have hereby promulgated the following law:

Article (1)

Articles (39), (43), (49), (115 bis), (144), (145), and (145 bis) of Law No. 14 of 2004 shall be replaced with the following:

Article (39):

“It may be stipulated in the employment contract that the worker shall be subject to a probation period that both parties agree upon, provided that the probation period does not exceed six months from the employment start date.

The worker shall not be subject to more than one probation period with the same Employer.

The employer may terminate the employment contract within the probation period if he/she finds out that the worker is unfit to carry out his/her duties, provided that the Employer notifies the worker at least one month before the termination date of the contract.

The worker may terminate the employment contract within the probation period, provided he/she complies with the following:

1. If the worker wishes to work for a new employer, he/she must notify his/her current employer in writing of his/her intent to terminate the employment contract at least one month before the date of termination. The new employer shall compensate the current employer a portion of the recruitment fees and the air ticket, if any, provided that the amount does not exceed the equivalent of two months of the worker's basic wage.
2. If the worker wants to terminate the contract and leave the country, he/she must notify his/her employer in writing of his/her intent to terminate the employment contract, in accordance with the notice period agreed between the two parties, provided that such notice period does not exceed two months.

If either party terminates the contract without abiding by the notice periods stipulated in this article, they shall be required to pay to the other party a compensation equivalent to the worker's basic wage for the notice period or the remaining part of the notice period.

In all cases, if a foreign worker leaves the country without honouring the conditions set out in the present article, he/she shall not be granted a work permit in the country for one year as of the date of their departure.”

Article (43):

“Any provision set forth under the employment contract, even if prior to the enforcement date of this Law, shall be null and void if it stipulates that the worker shall undertake to work for the same employer for life, or refrain, for life, from carrying out any occupation or trade after leaving employment.

When the nature of work enables the worker to become acquainted with the employer’s clients or business secrets, the employer may include in the employment contract a condition that the worker will refrain, after contract termination, from competing therewith or engaging in any competing business in the same economic sector. In all cases, such obligation shall not be valid for more than one year. The Minister shall issue a decision on the regulation of non-compete clauses.

The non-compete clause shall be considered null in the cases stipulated in article (51) of this Law, or if the employer violates the provisions of article (61) of this Law.”

Article (49):

“After the end of the probation period, or if the contract does not include a probation period, either party may terminate the employment contract at any time without cause, in which case the party wishing to terminate the contract shall notify the other party in writing of their intent to terminate the employment contract in accordance with the notice period, as specified below:

- During the first two years of employment, the notice period shall be a month.
- After the first two years of employment, the notice period shall be two months.

Upon contract termination without observing such notice periods, the terminating party shall be under the obligation to pay the other party compensation in lieu of notice, equivalent to the worker’s basic wage for the notice period or the remaining part of the notice period.

In all cases, if a foreign worker leaves the country without honouring the provisions set out in the present article, they shall not be granted a work permit in the country for one year as of the date of their departure.”

Article (115 bis):

“A “Labour Dispute Settlement Committee” or more shall be established at the Ministry and each shall be presided by a judge from the Court of First Instance selected by the Supreme Judicial Council, and shall include a number of members, one of whom shall have experience in Accounting.

The Committee’s establishment, rules and procedures, decision enforcement mechanism, and remuneration shall be determined by a decision of the Council of Ministers, in coordination with the Supreme Judicial Council.

The Committee’s members shall be nominated by a decision of the Minister, in coordination with relevant authorities.

The Committee’s Secretariat shall consist of one or more Ministry staff member(s), whose appointment, mandate and remuneration shall be determined by a decision of the Minister.”

Article (144):

“Whoever violates the provisions of Articles 7, 12, 19, 21, 22, 23, 27, 28, 35, (39, Paragraph 2), 46, 47, 48, (52 bis), 57, 58, 68, 70, 73, 74, 75, 77, 91, 92, 95, 97, 99, 100, 115, 139 of this law shall be liable to a fine ranging from two thousand Riyals to five thousand Riyals.”

Article (145):

“Whoever violates the provisions of Articles 29, 33, 67, 86, 87, 88, 89, 90, 93, 94, 103, 104, 105, 108, 122, 133 of this law shall be liable to the penalty of imprisonment for a period not exceeding one month and a fine ranging from two thousand Riyals and to six thousand Riyals, or either one of these sanctions.

In respect of violations relating to the recruitment of workers from abroad for the account of third parties, the court may, in addition to the penalties provided for in the preceding paragraph, shut down the recruitment agency and revoke its license.”

Article (145 bis):

“Whoever violates the provisions of article (66) of this law shall be liable to the penalty of imprisonment for a period not exceeding one year and a fine ranging from two thousand Riyals to ten thousand Riyals, or either one of these sanctions.”

Article (2)

The following provisions shall be added to the present law:

Article (51/Item 5):

“5- If a final decision is issued by one of the Labour Dispute Settlement Committees in favour of the worker.”

Article (52 bis):

“Without prejudice to the notice periods that must be respected when terminating an employment contract as stipulated in the present Law, when the employer contemplates terminating the employment contract for economic, structural or other reasons that are not related to the employment contract, they shall notify the Ministry, at least 15 days before termination, and submit a written statement of the reasons for the termination, the number and categories of workers likely to be affected, the period over which the termination is intended to be carried out and other relevant information requested by the Ministry.”

Article (106 bis):

“All accommodation provided by the employer to the workers shall comply with the conditions and specifications determined by a decision of the Minister.”

Article (145 bis):

“Whoever violates the provisions of articles 106, (106 bis) of this law shall be liable to the penalty of imprisonment for a period not exceeding one month and a fine ranging from two thousand Riyals to one hundred thousand Riyals, or either one of these sanctions. The penalty shall be doubled for repeat offences.”

Article (147):

“The Minister or his/her delegate may handle reconciliation in crimes stipulated in this law, prior to the initiation of criminal proceedings or during the examination thereof and before a final verdict is issued. Reconciliation in crimes identified in the attached table shall include payment of the amount specified for each crime, and the elimination of the reasons thereof.

Reconciliation in crimes not identified in the attached table shall consist of payment of half the minimum amount of the fine specified for each crime, and the elimination of the reasons thereof. Reconciliation entails non-initiation or suspension of criminal proceedings as per case situation.”

Article (148):

“Labour inspectors with a law enforcement officer status shall handle reconciliation of the crimes stipulated in this law, and shall propose a reconciliation to the offender after confronting them with the charge and documenting it in the incident report.

Reconciliation shall only be considered valid after being approved by the Minister or his/her delegate, and shall only be attempted with the offender after they correct or eliminate any violations at their own expense, in accordance with the Administration’s decision, and pay the due fees.

The offender who wishes to reconcile shall pay the amount agreed upon for reconciliation within 15 days from the date the offense report is prepared and shall pay the reconciliation amount to the Ministry’s Treasury. These amounts shall go to the State’s Public Treasury.”

Article (3)

All competent authorities, each within its remit, shall enforce the provisions of this law, which shall enter into force the day after being published in the Official Gazette.

Tamim bin Hamad Al Thani

Emir of the State of Qatar

Issued at the Emir’s Diwan 11/1/1442 A.H.

Corresponding to 30/08/2020 A.D.

Table:

Reconciliation in Some of the Crimes Stipulated in Labour Law No. 14 of 2004

Article	Reconciliation Amount
7, 12, 19, 21, 22, 23, 27, 28, 35, (39, Paragraph 2), 46, 47, 48, (53 bis), 57, 58, 68, 70, 73, 74, 75, 77, 91, 92, 95, 97, 99, 100, 115, 139	2,500 Riyals
29, 33, 67, 86, 87, 88, 89, 90, 93, 94, 103, 104, 105, 108, 122, 133	3,000 Riyals
106, (106 bis)	50,000 Riyals