

BUILDING PERMITS AND PLANNING REGULATIONS



Introduction

This document is intended to provide an overview of the Building Permits and Planning Regulations ('Regulations'). It does not replace the Regulations in any way, nor does it remove the need for an investor to seek its own professional advice if it considers this to be prudent. It is not intended to be a comprehensive description of the Regulations.

Background

Law No. (34) of 2005, as amended by Decree-Law No. (21) of 2017 established the Free Zones Authority (the 'Authority') which in summary, is responsible for managing specific Free Zones within the State of Qatar.

The Free Zones are dedicated areas of land within the State of Qatar that have been identified as economic zones; these economic zones have been designed in way that enables investors to benefit from economic incentives over and above those available to companies investing within the State of Qatar.

Currently, there are two (2) free zones:

- 1) Ras Bufontas – known as an 'Airport Free Zone and 4 km² in size; this particular zone is some 6 km away from Hamad International Airport. This zone is intended to provide for industries such as logistics, consumer products, light manufacturing, services, technology and applications, and pharmaceuticals.
- 2) Umm Alhoul – located near Hamad Port, this zone being 30 km² in size will primarily cater for maritime industries, polymers and plastics, advances manufacturing and logistics.

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PART 1

Preliminary Rules

ARTICLE 1

CITATION

These Regulations will be cited as the Building Permits and Planning Regulations.

ARTICLE 2

DEFINITIONS

Article 2 prescribes a list of definitions which apply to the Regulations.

ARTICLE 3

INTERPRETATION

Article 3 provides guidance on references to some concepts and terms used in the Regulations.

ARTICLE 4

APPLICATION

Article 4 prescribes that, these Regulations regulate the building permits and planning regime of the Free Zone, all Development on designated Land will be governed exclusively by Free Zones Legislation.

PART 2

Building Permit Applications

ARTICLE 5

REQUIREMENTS FOR DEVELOPMENT WORK

Article 5 prescribes that a Building Permit will be compulsory for carrying out any Development.

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ARTICLE 6 REQUIREMENTS FOR BUILDING PERMIT APPLICATION

Article 6 provides that the Free Zone Entity must submit an application to the Authority in accordance with prescribed criterion, which if not satisfied prohibits the Authority from considering the Building Permit Application.

ARTICLE 7 DETERMINATION OF A BUILDING PERMIT APPLICATION

Article 7 gives the Authority an absolute discretion to approve or reject a Building Permit Application, lists the assessment criteria, and requires the Authority to give reasons when refusing.

ARTICLE 8 INFORMATION CONTAINED IN A BUILDING PERMIT

Article 8 deals with the information to be captured within a Building Permit.

ARTICLE 9 REFUSAL OF A BUILDING PERMIT APPLICATION

Article 9 prescribes the procedure a Free Zone Entity can follow if it wishes to address the grounds for refusal under Article 7.

PART 3

Carrying out the Development Work

ARTICLE 10 CONSTRUCTION COMPLIANCE REQUIREMENTS

Article 10 provides that the Free Zone Entity must carry out the Development in full compliance with the issued Building Permit and other general prescribed principles which also must be adhered to when undertaking the Development.

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ARTICLE 11 NOTIFICATION OF COMPLETION OF THE DEVELOPMENT WORK

Article 11 stipulates the requirements to be followed by the Free Zone Entity on the Development's Practical Completion Date. A Free Zone Entity cannot Occupy the Development unless the Authority has issued a Final Certificate.

PART 4 Post-Completion of the Development Work

ARTICLE 12 CONTINUING COMPLIANCE

Article 12 deals with continuing compliance of Free Zone Entity, if the Building Permit includes conditions, restrictions and requirements which apply once the Final Certificate is issued.

PART 5 Compliance and Enforcement

ARTICLE 13 BREACHES OF THE REGULATIONS

Article 13 to 15 set out the compliance and enforcement obligations. Article 13 prescribes the violations and sanctions in the event of breaches.

ARTICLE 14 CONTINUING BREACHES OF THE REGULATIONS

Article 14 provides aggravated sanctions in the event of violation of obligations stipulated in Article 13.

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ARTICLE 15 PERSISTENT BREACHES OF THE REGULATIONS

Article 15 prescribes that in the event of persistently breaches of previously stated regulations, the Authority may take any administrative action it deems appropriate.

PART 6

Building Permit Register

ARTICLE 16 BUILDING PERMIT REGISTER

Article 16 enables the Authority to establish and maintain the Building Permit Register and sets out its content.

PART 7

Applications by an Applicant

ARTICLE 17 BUILDING PERMIT APPLICATIONS

Article 17 prescribes the procedures of submitting a Building Permit Application. An Applicant may submit a Building Permit Application at any time following the application for a Licence.

PART 8

General Provisions

ARTICLE 18 AMENDMENT OF THE REGULATIONS

Article 18 enables the Authority to amend the Regulations and other documentation without liability and requires the Tenant to comply with the relevant provision that is in force at the material time.

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ARTICLE 19 FEES

Article 19 enables the Authority to issue a Schedule of Fees which in turn apply to Free Zone Entities.

ARTICLE 20 SANCTIONS

With Article 20, the Authority may issue a Schedule of Sanctions which can be enforced for contraventions, should the need arise.

ARTICLE 21 REVOCATION AND REPLACEMENT

Article 21 prescribes that The Building Permits and Planning Regulations 2018 revoked and replaced by these Regulations.

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