

Law No 24 of 2002 on Retirement and Pensions 24 / 2002

Number of Articles: 60

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We Jassim bin Hamad Al T-hani, Deputy Emir of the State of Qatar;

Having perused the Amended Provisional Constitution, in particular Articles 22, 23, 34, and 51 thereof;

Law No. 2 of 1962 regulating the General Fiscal Policy in Qatar, as amended by Decree-Law No. 19 of 1996;

Decree Law No. 7 of 1984 concerning the retirement of civil servants,

Law No. 8 of 1984 deferring the application of Decree Law No. 6 of 1984 and Decree Law No. 7 of 1984 on military retirement and retirement of civil servants;

Law No. 5 of 1989 on the State General Budget;

Law No. 7 of 1999 regulating the Ministry of Civil Service Affairs and Housing and functions thereof;

The Civil Service Law promulgated by Law No. 1 of 2001;

The proposal of the Minister of Civil Service Affairs and Housing;

The draft law submitted by the Council of Ministers, and

Having consulted the *Shura* Council,

Hereby promulgate the following law:

Chapter One

Definitions

Article 1 (Amended By Law 33/2004)

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

“**Basic Salary**” means the last monthly salary received by the civil servant excluding all allowances and bonuses, entitlements and additional payments;

“**Salary**” means the basic salary plus the social allowance as provided for under the Civil Service Law or other similar legislation;

“**Length of service**” means the actual or legal duration of service according to which pension payments shall be paid;

“**Pension Gratuity**” means a one-off payment of an end-of-service benefit;

“**Pension Annuity**” means the monthly amount payable for the pensioner or his beneficiaries in accordance with the provisions of this law.

“**Pensioner**” means any person who has retired from working life and has been granted a pension under the provisions of this law;

“**The Beneficiary**” means the Qatari beneficiary who is entitled to receive a pension or a share in a pension of the pensioner in accordance with the provisions of this law.

“**Disability**” means every illness, physical or mental ailment that may permanently prevent a person from earning a living;

“**Missing person**” means any person who has been declared missing by a final judgment of a court of jurisdiction;

“**Authority**” means the **General Retirement and Pension Authority**;

“**Board**” means the Board of Directors of the Authority;

“**Medical Committee**” means the Medical Committee formed by the Authority;

“**Fund**” means the Superannuation Fund, established under the provisions of this law;

Chapter Two

In personam Jurisdiction

Article 2 (Amended By Law 33/2004)

The provisions of this law shall apply to:

- 1 - Qatari employees subject to the provisions of the Civil Service Law and who are employed in permanent positions.
- 2 - Qatari public servants in public authorities, institutions and corporations, and other bodies as determined by a decision of the Council of Ministers.

Article 3 (Amended By Law 33/2004)

The provisions of this law shall apply to any person whose service ends and who receives the pension gratuity before the date of application of the law if such a person:

- 1 - presents an application to the Authority within the period prescribed by the Executive Bylaw herein.
- 2 - pays the prescribed subscription during his employment, to be repaid in accordance with the provisions of Article 20 herein.

The provisions of this Article shall apply to beneficiaries of the pensioner.

Article 4

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

- 1 - Those former employees who retired before the date this law comes into force.
- 2 - Public servants who benefit from special pension schemes which provide better benefits.

Chapter Three

Pension Annuity

Article 5 (Amended By Law 33/2004)

A five percent levy towards an employee's pension shall be deducted from the salary of the employee or worker. The employer, meanwhile, shall contribute double this percentage and is obliged to pay these amounts to the Authority at a date no later than the fifth day of the following month. A late payment fine of two percent per month shall be imposed for arrears from the due date until the payment date.

After deducting loans granted on their surety, contributions payable by public servants at the time this law comes into force shall be deducted from their gratuity or the remaining portion thereof. The remaining amount shall be paid to them. They have to pay the difference on this balance.

Article 6 (Amended By Law 15/2008) (Amended By Law 33/2004)

The civil servant shall be entitled to a pension when his service expires in the event of any of the following:

- 1 - Death;
- 2 - Reaching the age of retirement, or in the event of termination of employment as a result of disciplinary proceedings, provided that the length of service is not less than fifteen years;
- 3 - Resignation, provided that the length of service is not less than fifteen years, and that the age of the civil servant is not less than forty years;
- 4 - Being declared unfit for work by the Medical Committee;
- 5 - For public servants at the ministries and other government bodies, public authorities and corporations, abolition of the post or termination of service without disciplinary proceedings, provided that the length of service is not less than five years.

Companies and other entities decided by the Council of Ministers subject to the provisions of this law shall apply this provision, provided that they assume all financial liabilities accrued as a result, following the approval of the Council of Ministers.

- 6 - End of service for reasons other than those stipulated in the conditions listed above, provided that the length of service is not less than fifteen years.

Article 7 (Amended By Law 33/2004)

Further to the emoluments that an employee may be eligible for in accordance with the law, a pension shall be calculated on the following basis:

- 1 - Where an employee's service ends with death or with certified medical unfitness due to a person's employment or during their employment, and when the actual or legal length of service, whichever is longer, is at least twenty years;
- 2 - Where an employee's service ends with death, certified medical unfitness, termination of employment in the absence of disciplinary proceedings, when the actual or legal length of service, whichever is longer, is at least fifteen years,;
- 3 - Where an employee's service ends due to reasons other than those stipulated in terms listed above, and the actual or legal length of service is at least fifteen years.

In all cases, the employer is obliged to pay all contributions accrued from any difference between the actual and legal length of service, as well as any additional amounts in the event of the cancellation of the job or termination of the role, in the absence of any disciplinary proceedings, in accordance with the executive bylaw herein.

Article 8

In the calculation of the length of service, fraction of the month shall be deemed a full month, and the period that exceeds six months shall be deemed one year.

Article 9 (Amended By Law 33/2004)

Different kinds of vacation, secondment, scholarships, official missions and training courses shall be included in the calculation of the length of service provided that the prescribed contributions herein, in accordance with the executive bylaw, are paid during such periods.

Suspension and absence from work shall not be included in any calculation of the length of service when, during this period of suspension or absence, the employee is not eligible to draw a salary.

Article 10 (Amended By Law 33/2004)

Monthly pension annuities for public servants in the ministries, other governmental bodies and public authorities and corporations shall be calculated at the rate of five per cent of the final salary, multiplied by the number of years of service, provided that the pension annuity does not exceed the amount of the salary.

Pension calculation for employees working in places not included in the preceding paragraph shall be calculated at the rate of five per cent of the average salary over the last five years of the employee's period of employment, multiplied by the number of years of service, provided that the pension annuity does not exceed this average amount.

Where the end of an employee's service is due to resignation or according to the provision of clause (6) of Article 6 detailed herein, the pension shall be reduced by two per cent. Where a contract of employment is terminated owing to disciplinary proceedings the pension shall be reduced by a rate of two-and-a-half percent for each year between the age of the employee when the contract was terminated and the superannuation age, which is sixty for males and fifty-five for females.

Article 12

The pension shall be payable on the day after the end of an employee's service, and shall be payable at the end of each due month.

In the case of non-settlement of pension in the month following the end of the service, for any reason, the pension determined by the Authority shall be paid pending the outcome of a final settlement.

After the final settlement, the rest of the due pension shall be paid as a lump sum. The excess shall be recovered in monthly installments not exceeding one year from the date of final settlement.

Article 12 - BIS (Added By: Law 33 / 2004)

Public servants may purchase legal service periods, which can be added to their actual length of service time, to be included in pension calculations, provided that:

- 1 - The age at the date of submission of the application is not less than fifty years for males and forty-five years for females.
- 2 - The actual length of service is not less than ten years.
- 3 - The employee has paid contributions for the purchased duration at the rate of fifteen per cent of the role's salary. The executive bylaw herein shall illustrate the payment process of these contributions to the Authority.

Article 13 (Amended By Law 33/2004)

When the pensioner dies, the right to the pension payments is transferred to his beneficiaries, according to the rates set out in Table (1) which are attached hereto.

Non-Qatari children of a deceased Qatari female civil servant shall be treated as eligible Qataris in accordance with the provisions of this law. When the share of one of the eligible pensioners is stopped, this pension shall be distributed among the rest of the beneficiaries, and if the suspended share is then returned to the original recipient, the shares of those other eligible pensioners shall be reduced in accordance with this restoration of payment to the original recipient.

Article 14 (Amended By Law 33/2004)

Where the civil servant is deemed missing, his pension shall be paid on the assumption that his service has ended by death, and the pension shall therefore be granted to his beneficiaries. If this person is subsequently deemed no longer missing, he shall be treated in accordance with the provisions of this law.

If the pensioner or the entitled person is deemed missing his share pension shall be distributed among beneficiaries according to the provision of the previous Article.

Article 15 (Amended By Law 33/2004)

Where the pensioner is reappointed or returns to work in one of the roles subject to the provisions of this law, his pension shall be suspended during the

period of this work. Where the pensioner's salary is less than his pension, the difference shall be dispersed to him by the Authority. The pensioner may subscribe for the new service, and his pension may be settled at the end of his service, on the basis of his salary plus the difference for the additional period of not less than eight years, by calculating the pension for this period, in accordance with the provisions of Articles 10, 11 herein, and adding it to the previous pension.

Where the said additional length of service is less than eight years, the pensioner's suspended pension and his contributions for this period shall be reimbursed as determined by the executive bylaw herein.

Article 16

Where a pensioner's widow is eligible for the pension, she shall have the right to combine her salary or pension and the pension of her deceased husband without the imposition or restriction of a maximum amount. The daughter shall have the right to combine between her pension and the pensions of her mother or father, or both.

The spouse shall be entitled to the pension of his deceased wife. The pension shall be reduced by half if he is eligible for another pension or salary from any of the entities or roles subject to the provisions of this law. Where this other pension or salary is less than half of the pension he shall be paid the difference.

Article 17 (Amended By Law 33/2004)

The pension of the male pensioner from the sons, brothers and grand sons when these individuals reach twenty-one years of age shall be suspended, with the exception of the following two conditions:

1 - Certified incapacity to work. When this situation holds, the individual's right to a pension shall end by either his death or by an improvement in the individual's capacity, such that he is able to work.

2 - Engaging in education: When an individual in receipt of a pension is in full time education at school, university or college, his share of the pension shall be disbursed until the completion of his studies or when the individual reaches the age of twenty-seventh whichever is earlier.

Article 18

The widow's pension outstanding owing to the death of her husband shall be suspended upon her marriage, and shall be returned in the event of her divorce.

The pension owed to a mother in the event of the death of her son shall be stopped if she marries someone other than the deceased's father. This pension payment shall be resumed if she divorces.

The amount of pension payable to the daughter, sister or daughter-in-law when she marries or is employed in a permanent position in one of the entities subject to the provisions of this law will be adjusted: Where the salary associated with this employment is less than the pension, the difference shall be disbursed thereto. The pension shall be fully returned when she gets divorced or in the event of her being widowed or when her employment in this role ends.

However, if a pensioner again becomes a widower the larger pension amount shall be paid thereto.

Article 19 (Amended By Law 33/2004)

Where an individual's Qatari nationality is withdrawn or given up, the pension shall be paid to his beneficiaries. The pension shall be returned upon the restoration of that individual's Qatari nationality.

Article 20 (Amended By Law 33/2004)

The civil servant may request the calculation of all or some of his previous terms of service in the pension, provided that he pays the due contributions.

The civil servant may pay the prescribed contributions for previous periods of service as a single lump sum, or in monthly installments over five years, including the equivalent of 120 riyals for every 1,000 Riyals.

Article 21

Where a non-Qatari civil servant has acquired Qatari nationality, he may request the inclusion of all or some of the previous periods of his service before the acquisition of Qatari nationality to be included in his pension calculations, provided that the contributions provided for in the preceding article have been paid.

Article 22 Cancelled (Repealed By Law 33/2004)

Article 23 (Amended By Law 33/2004)

Where a civil servant is not eligible for a pension, the contributions he paid during his period of employment shall be returned as determined by the executive bylaws herein. In addition, the employer shall bear the end of service gratuity due to him.

Article 23 - BIS (Added By: Law 33 / 2004)

A civil servant may not combine the pension due in accordance with this law and any-end-of-service benefits stipulated in the laws or regulations of the entities subject to the provisions of this law. A civil servant whose actual length of service exceeds twenty years at the end of his period of employment shall be entitled to end-of-service benefits paid for by his employer as determined by the executive regulation of this law.

Chapter Four

Commutation

Article 24 (Amended By Law 33/2004)

The retired or pension entitled civil servant may request commutation of not more than half the amount of the pension, in accordance with the Table (2) attached to this law.

The reimbursement of this commuted part shall cease upon the death of the retired civil servant, and in this case the share of eligible beneficiaries shall be reimbursed fully.

Article 25 (Amended By Law 33/2004)

The employee or retired civil servant may make more than one commutation within one half of the pension due to him at the request of commutation, as indicated by the executive bylaws herein.

Chapter Five

The General Retirement and Pension Authority

Article 26 Cancelled (Repealed By Decree 18/2009)

Article 27 Cancelled (Repealed By Decree 18/2009)

Article 28 Cancelled (Repealed By Decree 18/2009)

Article 29 Cancelled (Repealed By Decree 18/2009) (Amended By Law 33/2004)

Article 30 Cancelled (Repealed By Decree 18/2009)

Article 31 Cancelled (Repealed By Decree 18/2009) (Amended By Law 33/2004)

Article 32 Cancelled (Repealed By Decree 18/2009)

Article 33 Cancelled (Repealed By Decree 18/2009) (Amended By Law 33/2004)

Article 34 Cancelled (Repealed By Decree 18/2009)

Article 35 Cancelled (Repealed By Decree 18/2009)

Article 36 Cancelled (Repealed By Decree 18/2009)

Article 37 Cancelled (Repealed By Decree 18/2009)

Article 38 Cancelled (Repealed By Decree 18/2009)

Article 39 Cancelled (Repealed By Decree 18/2009)

Article 40 Cancelled (Repealed By Decree 18/2009)

Article 41 Cancelled (Repealed By Decree 18/2009)

Article 42 Cancelled (Repealed By Decree 18/2009)

Article 43 Cancelled (Repealed By Decree 18/2009)

Article 45

A Fund entitled "the Superannuation Fund" shall be established. Contributions provided for in this law and any other appropriations thereof allocated by the state budget shall be deposited into the Superannuation Fund account.

Article 46

The Fund's financial resources shall consist of the following:

- 1 - Contributions from public servants amounting to five percent of their salary.
 - 2 - Contributions from employers which amount to twice the contribution from employees.
 - 3 - Funds and appropriations allocated by the state.
 - 4 - Investment returns of the Fund.
 - 5 - Any other resources accepted by the Board.
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Article 47

The Fund's financial position shall be examined and audited at least once every three years, by one or more actuaries appointed by the Board. Any deficit in the Fund budget shall be settled according to the directions of the Board.

Article 48

The board shall appoint one or more auditors. The auditor shall have the right to inspect the books, records and documents of the Fund, as well as requesting information deemed necessary for the performance of a proper investigation. The board may verify assets and liabilities of the Fund, and shall report to the Board with its recommendations.

Chapter Six

Sanctions

Article 49

Without prejudice to any more severe penalty provided for by the law, whoever provided, in bad faith, incorrect information or declined to give statements set forth in this Law or its implementing regulations, where such incorrect provision or refusal to provide information has resulted in an individual unjustly obtaining funds from the Fund, that individual shall, in these circumstances, be punished with imprisonment for a term not exceeding three months or a fine of not more than 2,000 riyals, or both.

Chapter Seven

General Provisions

Article 50

A committee, its formation and the remit and schedule of its work, which shall be determined by a resolution of the Council of Ministers, shall be established to examine disputes arising from the application of the provisions of this law.

Claims of employers, employees, workers, pensioners and beneficiaries may only be accepted before the courts, after submitting their application to the aforesaid Authority and deciding thereupon, or when sixty days has elapsed since submission without a decision on this application.

Article 50 - BIS (Added By: Law 33 / 2004)

The amounts owed to the Authority under this law lien on all funds of the debtor, and shall have priority over all debts after the deduction of judicial expenses and alimony debts. The Authority shall have the right to collect payments in accordance with the regulations which apply in collecting government funds, and may be collected wholly or partly in installments in accordance with the conditions determined by the Board.

Article 51

The pension may only be attached in fulfillment of ruled alimony, or to pay what is required to employer or Authority.

In all cases, the attached amount shall not be more than a quarter of a pension. In case of multiplicity priority shall be given to the alimony.

Article 51 - BIS (Added By: Law 33 / 2004)

Claims and appeals submitted by the Authority or the pensioner or eligible beneficiaries, according to this law, shall be exempted from judicial fees in all degrees of litigation. The claim shall be heard in summary. The Court in all cases shall rule of urgent execution without bail. In the event of dismissal or appeal the court shall commit the claimant or plaintiff to bear all or part of the expenses.

Article 52

The Fund property and revenues shall be exempt from taxes.

Article 53

Exceptional pensions, increasing certain or all due pensions, may be granted in accordance with the terms and conditions prescribed by the executive bylaws herein.

Article 54

The Council of Ministers, on the proposal of the Authority, shall issue the executive bylaws herein.

Article 55

The aforesaid Decree-Law No. 7 of 1984 shall be repealed.

Article 56

All competent authorities, each within its own jurisdiction, shall execute this law after five months from the date of its publication in the *Official Gazette*.

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