

# Law No. 30 of 2002 Promulgating the Law of the Environment Protection 30 / 2002

Number of Articles: 80

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

Having considered the Provisional Amended Constitution, in particular articles 23, 27 and 37 thereof;  
Decree-Law No. 29 of 1966 on the Organisation of Qatar Sea Ports, and amending laws thereof;  
Law No. 8 of 1974 on Public Hygiene and amending laws thereof;  
Law No. 9 of 1977 on the Neglected Animals and amending laws thereof;

Law No. 3 of 1975 on the Commercial, Industrial and Public Premises, and amending laws thereof;  
Decree -Law No. 4 of 1977 on the Conservation of Petroleum Resources;  
The Maritime Law promulgated by Law No. 15 of 1980;  
Law No. 12 of 1981 on the Agricultural Quarantine amended by law No. 6 of 1996;  
Law No. 4 of 1983 on the Exploitation and Protection of Living Aquatic Resources in Qatar and amending laws thereof;  
Law No. 1 of 1985 on Animal Health and amending laws thereof;  
Law No. 10 of 1987 on the Public and Private Property and amending laws thereof;  
Law No. 1 of 1988 on the Organisation of Excavation of Groundwater Wells, and amending laws thereof;  
Law No. 1 of 1993 on the Prohibition of Dredging of Agricultural Lands and Beaches as amended by law No. 33 of 1995;  
Law No. 19 of 1995 on the Organisation of Industry;  
Law No. 32 of 1995 prohibiting the damage to the vegetation ecosystem;  
Law No. 13 of 1997 on the Civil Defence;  
Law No. 11 of 2000 on the Establishment of the Supreme Council for Environment and Natural Reserves (SCENR);  
Law No. 4 2002 on the regulation of hunting wild animals, Aves and reptiles;  
Decree No. 55 of 1978 ratifying the accession of the State of Qatar to the Kuwait Regional Convention for Cooperation on the Protection of the Marine Environment from Pollution and the Special Protocol on Regional Cooperation to Combat Oil Pollution and other Harmful Substances in Cases of Emergencies;  
Decree No. 51 of 1988 ratifying the accession of the State of Qatar to the International Oil Pollution Compensation Funds (IOPC Funds), Brussels 1971;  
Decree No. 52 of 1988 ratifying the accession of the State of Qatar to the International Convention Relating to Intervention on the High Seas in Cases of Oil Pollution Casualties, Brussels 1969 and its annexes;  
Decree No. 53 of 1988 ratifying the accession of the State of Qatar to the International Convention on Civil Liability for Oil Pollution Damage, Brussels, 1969 as amended by the Protocol of 1976;  
Decree No. 36 of 1989 ratifying the accession of the State of Qatar to the Protocol on Marine Pollution Resulting from Exploration and Exploitation of the Continental Shelf;  
Decree No. 40 of 1992 determining the size of the territorial waters of the State of Qatar and the contiguous zones;  
Decree No. 55 of 1992 on the Protocol of Marine Environment Protection from Land-Based Sources;  
Decree No. 15 of 1996 ratifying the accession of the State of Qatar to Basel Convention on the Control of Transboundary Movements of Hazardous Wastes and their Disposal;  
Decree No. 47 of 1996 ratifying the accession of the State of Qatar to the Protocol on the UN Framework Convention on Climate Change;  
Decree No. 90 of 1996 ratifying the accession of the State of Qatar to the Convention on Biodiversity of 1992;  
Decree No. 23 of 1999 ratifying the accession of the State of Qatar to the Vienna Convention on the Protection of the Ozone Layer (1985) and the Montreal Protocol on Substances that Deplete the Ozone Layer 1987 and its amendments for the years 1990 and 1992;  
Decree No. 29 of 1999 ratifying the accession of the State of Qatar to the UN Convention to Combat Desertification in those Countries Experiencing Serious Drought / Desertification, particularly in Africa;  
The Council of Ministers Resolution No. 17 of 1998 establishing the Permanent Contingency Committee and amendments thereof;  
The proposal of the Chairperson of the Supreme Council for the Environment and Natural Sanctuaries; and  
The draft law submitted by the Council of Ministers.

**Hereby promulgate the following Law:**

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## **Issuance Articles**

### **Article 1 - Introduction**

The provisions of the Law on the Environment Protection attached herein shall come into force.

Article 2 - Introduction

After coordination with the competent authorities, the Chairperson of the Supreme Council for the Environment and Natural Reserves ("SCENR") shall issue the necessary decisions for the implementation of the provisions of the Law attached herein, and the Executive Directive thereof in a period not exceeding six months from the date the present Law comes into force. All the ministries, other governmental agencies, public institutions and organisations, each within its sphere of jurisdiction, shall issue the prescribed rates and proportions necessary to execute the provisions of the Law herein, during the period mentioned above

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Article 3 - Introduction

The Establishments present at the time the present Law comes into force, shall conciliate their situations according to the provisions of the present Law within two years from the date the provisions of the Executive Directive there of came into force. Subject to a proposal from the SCENR Chairperson, the Emir may extend the aforesaid period.

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Article 4 - Introduction

Any provision not complying with the provisions of the annexed law shall be repealed.

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Article 5 - Introduction

All competent authorities, each within its jurisdiction, shall implement the provisions of this Law, which shall come into force after six months from the date of publication in the Official Gazette.

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**Introductory Part**

**Definitions**

Article 1

In the application of provisions of this law, the following words and statements shall have the following meanings, unless otherwise stated:

1. The "**Council**" means the Supreme Council for the Environment and Natural Reserves ("SCENR").
2. The "**General Secretariat**" means the General Secretariat of the Council ("GSC").

3. The “**Administrative Authority**” means any ministry or other governmental body, or public institution or organisation.
4. The “**Licensing Authority**” means any Authority responsible for issuing licenses to practice activities or establish of Projects which have potential harmful consequences to the Environment.
5. The “**Exclusive Economic Zone (“EEZ”)**” means the area that extends to a distance of 200 nautical miles from the seaward basic lines, from which the breadth of the territorial waters measured.
6. The “**Natural Reserve**” means an area that is protected and managed in order to preserve a particular type of habitat and its endangered flora and fauna. Hunting or killing of these endangered species is highly restricted, and a decision issued from the Council shall mark out this area.
7. The “**Environment**” means the biosphere that includes living beings, such as human beings, animals, plants, and the surrounding air, water and earth, and is content of solid, liquid and gas materials, various forms of energy or any movable or immovable facilities built by man or in which man works.
8. “**Environment Development**” means the policies and measures that satisfy the social, cultural, and economical sustainable development requirements in the State, and achieve the objectives and principles invested in the law including; the current and future improvements of the natural habitat, elements and conservation of biodiversity and historical, archaeological and natural heritage in the State.
9. The “**Aquatic Ecosystems**” means the Marine Ecology and inland waters, including the groundwater, catchment and valleys’ waters therein; natural resources, including aquatic plants, fish and shellfish and shellfish resources and other living organisms therein; the atmosphere and fixed or mobile constructions and Projects thereon.
10. The “**Maritime Environment**” means the beaches, maritime and inland ports, the territorial waters, the contiguous waters, the Exclusive Economic Zone (“EEZ”), the bottoms thereof; all components, living and nonliving resources, and onshore or offshore facilities, including building, structure, installation, equipment and Projects in the State.
11. The “**Land-Based Sources**” means the fixed and mobile municipal, industrial, agricultural sources on land and which drainage is Discharged in the Marine Environment.
12. “**Environment Pollution**” means any changes in the Environment characteristics, which may lead directly or indirectly to upsetting living organisms damaging structures or affecting the practicing of natural life by human kind.
13. “**Pollution Standard (“PS”)**” means the annual average of the maximum limit of pollutant concentration allowed in different habitats. Without prejudicing the annual average value, the maximum limit shall not be exceeded within one continuous hour time.
14. “**Degradation of the Environment**” means the effect on the Environment that reduces the value, or distorts the habitats, or exhausts the resources, or damages both the living and non-living resources thereof.
15. The “**Environmental Disaster**” means an accident caused by natural factors or man-made, which results in great damage to the Environment.
16. “**Environment Protection**” means the conservation of the environmental habitats; upgrading, preventing degradation or pollution thereof; or alleviating pollution severity. The habitats include the atmosphere, seas and inland waters, including the groundwater, natural habitats and reserves, and other natural resources.
17. The “**Project**” means any utility or onshore or offshore facilities, including building, structure, installation, Project, establishment or any activity likely to be the source of environmental pollution or degradation as determined by its Executive Regulation.
18. The “**Environmental Impact Assessment (“EIA”)**” means the study related to the environmental feasibility analysis conducted before licensing Projects, their construction or operation are likely to affect the safety of the Environment. The EIA aims to identify the potential environmental effects, and the appropriate measures and means to control, remove or mitigate the negative effects, or maximise the Project positive inputs on the Environment.
19. “**Environment Protection Measures**” means limits or concentrations of pollutants that are not allowed to be exceeded in the natural habitats (the atmosphere, the water and the soil).
20. The “**Hazardous Materials**” means the Hazardous solid, liquid or gas materials which have the potential to cause harm to humans, animals, plants or the Environment, such as toxic agents, explosives, flammable materials, or ionising radioactive material.
21. The “**Hazardous Waste**” means the wastes of different activities or operations, or ashes thereof, which retain the characteristics of the hazardous material and which are discarded, such as clinical wastes from the medication activities, and wastes resulting from manufacturing of pharmaceutical compounds, drugs, organic solvents, inks, paints or jellies and creams.

22. "**Handling of Materials**" means all that leads to moving the abovementioned material, including collection, transporting, storing, treatment or usage thereof.
23. "**Waste Management**" means the collection, transport, recycling and disposal of waste.
24. "**Recycling of Waste**" means the operations by which materials are extracted or recycled such as the extraction of biofuel, or extraction of minerals and organic materials, or soil treatment, or Oils refining.
25. "**Disposal of Waste**" means the operations that do not lead to extraction or recycling of material, such as Dumping, deep injection, drainage of surface waters, biological treatment, or any other operations.
26. "**Air Pollution**" means any change in the characteristics and specifications of natural fresh air, potentially harmful to human health and Environment, whether this pollution is caused by natural factors or man-made, including Noise.
27. "**Public Area**" means the area arranged to receive all people or a specific category of people for any purpose.
28. The "**Enclosed Public Area**" means the public area, which is a covered building, with no ventilation except through outlets therein.
29. The "**Semi-Enclosed Public Area**" means an area which has the shape of an uncompleted building opened directly to the outer air, which prevents complete closure.
30. The "**Noise**" means a sound in which frequency exceeds the allowed limits.
31. The "**Vessel**" means any type of watercraft that is operating in the Maritime Environment, including hydrofoil boats, hovercrafts, submarines, launches and fixed or floating platforms.
32. The "**Petroleum Oil**" means all kinds of Oil and its products including but not limited to crude Oil, all kinds of liquid hydrocarbon fuel Oil, lubricant Oil, mineral Oil, sludge, Oil refuse, and refined products and wastes.
33. "**Oil Mix**" means any mixture containing a quantity of Oil which exceeds the limit determined in the Executive Regulation.
34. The "**Dirty Ballast Water**" means water discharged from ship tanks if its Oil contents exceed the limit determined in the Executive Regulation.
35. "**Oil Transport**" means any pipeline used to transport Oil, any other equipment used to load or download, transport the Oil, or any other pumping equipment and appurtenances necessary for the work of these pipelines.
36. "**Carrier of Harmful Materials ("HM")**" means a ship built basically or modified to carry shipments of discarded harmful materials, including Oil tankers, when wholly or partially loaded with HM material unpacked in accordance with the provisions of Chapter II, Part 3 of this law.
37. "**Discharge**" means excluding the levels determined by the Executive Regulation and including, but not limited to, any spilling, leakage, pouring, pumping, emitting or emptying, or Dumping of pollutants or disposing thereof in the territorial sea water or the offshore area, or the EEZ.
38. "**Dumping**" means:
  - a. any deliberate dumping, in the Marine Environment of polluted materials or wastes from ships, airplanes, or platforms, etc; or
  - b. any deliberate disposal, in the Marine Environment of ships, or industrial installations, or such material.
39. "**Liquid Harmful Substances to the Aquatic Environment**" means as stipulated in Articles in annex 2, *MARPOL 73/78*.

40. **“Polluting Substances and Factors”** means any man-made solid, liquid or gaseous material or Noise, emissions, heat or vibration that leads directly or indirectly to the Pollution or Degradation of the Environment.
41. **“Aquatic Pollution”** means to place any substances or energy in the Aquatic Environment, potentially harmful to living and non-living resources or threatening the human health, or blocking water activities, including fish and shellfish and shell fishing and tourist activity, or spoil the quality of sea water for use, or reduce its recreational value, or changes characteristics thereof.
42. **“Aquatic Environment Pollutants”** means any substances, its intentional or non-intentional Discharge into the Aquatic Environment, change the characteristics of the Aquatic Environment or contributes directly or indirectly in harming humans, natural resources, sea waters, tourism areas, or interact with other authorised uses of the Aquatic Environment.
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## **Part 1**

### **Environment Protection against Pollution**

#### **Chapter One**

#### **Environment and Sustainable Development**

### **Article 2**

The present Law aims to achieve the following purposes:

1. Protection and preservation of the quality and natural balance of the Environment;
  2. Combat different kinds of pollution; avoid any immediate or long term negative impacts as a result of economical, agricultural, industrial and construction development plans and programs or other developmental programs which aim to improve the standard of living, achieve the Environment integrated protection, and conserve quality and natural balance thereof; and enhance the environmental awareness and principles of controlling pollution.
  3. Development of natural resources, conservation of the biodiversity and ensure optimum exploitation thereof for the benefit of the present and future generations.
  4. Protection of the community, human health, other living organisms from all environmentally harmful activities and actions, or that prevent the authorised use of the environmental habitat
  5. Protection of Environment from the harmful impact of activities outside the State.
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### **Article 3**

All administrative authorities in the State shall take the necessary measures and precautions to protect the Environment, combat pollution, conserve natural resources and ensure their sustainability to meet the development requirements for the present or future generations.

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### **Article 4**

All Administrative Authorities shall observe the environmental considerations, giving them top priority, consolidate these considerations in all the phases and levels of planning, and make the environmental planning an integral part of the overall industrial, agricultural, construction and other developmental planning.

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## Article 5

All Administrative Authorities, each within its competence, shall rationalise the exploitation of the living and nonnatural resources to conserve the renewable resources thereof and sustain the use of nonliving resources for the benefit of present and future generations.

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## Article 6

All public and private bodies shall abide to include the clause of the Environment Protection and Pollution Control in all the local and international agreements and contracts, which could be, upon implementation, harmful to the Environment. These agreements and contracts shall include penalties conditions, and undertaking to bear the expenses of removing the environmental destruction and damages there from.

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## Article 7

All authorities responsible of education shall include environmental awareness subjects in all the educational stages. These authorities shall ensure that the curriculum containing these subjects pay adequate attention to the environmental awareness. They shall work to establish and develop specialised institutes in Environmental Science to teach technical cadres. All the Information Authorities shall work to reinforce the environmental awareness programs in different media including the, print, audible visual media.

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## Article 8

The Council shall, by coordination with the competent Authorities prepare, issue, review, develop, update the measures and criteria of the environmental protection.

In order to determine these measurements and criteria, the balance between the available technical capabilities and the necessary economical costs shall be observed, without prejudice, to the requirements of the Environment Protection and Pollution Control

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## Article 9

The Council shall, by coordination with the Competent Authorities, issue the regulations and decisions relating to the conservation of wild life and domesticated living organisms, particularly the endangered species. To enforce such regulations and decisions the Council shall:

1. Prohibit catching rare wild life species.
  2. Prohibit cutting and uprooting and removal of wild trees, bushes, and grass.
  3. Establish and manage Natural Reserves.
  4. Conserve living resources including domesticated animals, local economic plants and their improvement.
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## Article 10

The Council may, by coordination with the Competent Administrative Authorities and the Licensing Authorities, take the necessary measures to avoid, prevent or mitigate the harm likely to happen to the Environment to the minimum possible level. In particular, the Council may take the following actions:

1. Temporarily withhold or cancel any activities likely to have a negative impact on the Environment;
2. Impose the technical or operational restrictions, conditions, measures and criteria, or any other necessary requirements.

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## **Chapter Two**

### **The Project Environmental Impact**

#### **Article 11**

The Council shall, by coordination with the competent Administrative Authorities ,lay down the necessary criteria, specifications, basics and restrictions for assessing the environmental impact of the Projects and Establishments, which require licensing. In particular the Council shall carry out the following:

1. Determine the categories and sections of the public and private development Projects, which by their nature are harmful to the Environment.
  2. Determine the environmentally important areas and location as per the Environment Protection criteria. The Executive Regulation shall determine the procedures for the Environmental Impact Assessment ("EIA") and the conditions for the environmental licensing of the Project or the operating permit, the cases of withholding or cancellation thereof.
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#### **Article 12**

The blueprints of the public and private development plans and Projects whatsoever and wherever located ,including industrial, agricultural and construction Projects shall be submitted to the Council for revision, assessment and to ensure that these plans and Projects comply with the scientific and practical methodologies of appropriate environmental planning, according to the criteria and specifications, bases, and the restrictions mentioned in the preceding Article.

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#### **Article 13**

Without prejudice to the other conditional clauses stipulated in the applicable laws, the Licensing Authorities shall issue licenses for the Projects indicated in the Executive Regulation pursuant to the provision of Article 11 of this law, except after presenting an EIS study, and obtaining the approval of the Council to the results of this study.

The Project or the Establishment may not be operated without receiving the necessary license complete with the environmental impact evaluation study and the Council approval.

The extensions and renovations of the existing Projects shall be subject to the provisions related to the environmental impact evaluation procedures.

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#### **Article 14**

The Licensing Authority shall send a copy of the EIA study of the Project to the General Secretariat for revision and submission to the Council for a decision therein. The General Secretariat shall inform such authorities of the decision of the Council within 30 days from the date of receiving the completed study. The elapse of such period without receiving a response from the General Secretariat shall be deemed as an approval to the study.

The stakeholder may appeal the Council rejection in accordance with the rules, procedure and the timing indicated by the Executive Regulation.

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#### **Article 15**

The Licensing Authority shall ensure that the new Projects and main changes to the existing Projects utilise the state of art economic technology available to control pollution and prevent the environmental Degradation. The Licensing Authority shall also, upon renewal of the licenses of the existing Projects, to ensure that such Projects are using the appropriate technology capable to achieve commitment within the parameters of Environment Protection determined by the Executive Regulation.



## Article 16

The owners of the Projects shall keep a record to illustrate the Establishment activity impact on the Environment. The Executive Regulation shall establish the form for such record and the information registered therein. The General Secretariat shall follow-up the record information to ensure that such information is correct, by taking the necessary samples and conduct the appropriate tests to specify the Establishment activity impact on the Environment, and determine its compliance with the Environment Protection Standards. In the case of violations, the General Secretariat shall immediately inform the Competent Administrative Authority to request the owner of the Establishment to correct such violations. If the owner failed to make such changes within 60 days, the Council shall, based on the recommendation of the General Secretariat, take the necessary actions to halt the violation, and claim appropriate compensation, to treat the damages caused by such violations.

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## Article 17

All the administrative authorities shall, in coordination and cooperation with the General Secretariat, carry out all the following actions and measures:

1. Prevent the environmental negative effects caused by the Projects of the aforesaid administrative authorities or the Projects under their supervision or licensed thereby.
  2. Take all the necessary actions to ensure the application of the rules stipulated in this law in respect of the Projects of the administrative authorities and Projects under their supervision, or licensed thereby including compliance by current Environment Protection systems and measures, Executive Regulations, and instructions thereof, and issuing the necessary systems, Executive Regulations and instructions.
  3. Monitor and follow-up the application of the systems and Measurements of the Environment Protection, and compliance to the Projects of the aforesaid administrative authorities or the Projects under their supervision or the licensed thereby, and submit periodical reports to the Council.
  4. Coordination with the Council prior to the issuing of any licenses, or authorisation, or measures, or specifications, or rules related to the activities affecting the Environment.
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## Article 18

Whoever designs, implements or operates any Project, shall comply with the systems and measurements of the Environment Protection prescribed under this law, or issued in application thereof. Whoever intends to commit or omit any work potentially harmful to the Environment shall conduct Environmental Impact Evaluation study or any other assessment methods as deemed necessary by this law or the Executive Regulation thereof to identify the Project potential effects, and shall take all the necessary precautions, measures or procedures to counter act such effects, or mitigate the possibility to the minimum level possible.

Notwithstanding conducting the Environment Impact Assessment study, the owner of the Project shall, in the event of occurrence of any environmental negative effects as a result of committing or omitting an action, be committed to take all the necessary actions to halt such effects or minimise them to the minimum level possible.

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## Article 19

All the Administrative Authorities and such supervisory bodies of the Projects potentially harmful to the Environment shall put in place the contingency plans and methods of implementing such plans to fore stall such effects, or mitigate their risks. Such contingency plans and methods of implementation thereof shall be submitted to the Council for investigation and recommendation in accordance with the Executive Regulation.

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## Article 20

Any natural or corporate person responsible for operating a Project potentially harmful to the Environment shall assign a person to be responsible to ensure achievement of such activities and operations in accordance with the basics and restrictions stated in this law and Executive Regulation thereof.

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## **Chapter Three**

### **Contingency Plans to Countermeasure Environmental Disasters**

#### **Article 21**

Subject to the following in particular, there shall be coordination between the Council, the Permanent Emergency Committee and the Administrative Authorities to lay down a general plan for emergency to counteract the Environmental Disasters. The plan shall become operative, only after approval by the Council of Ministers:

1. Collection of the available local and international information and techniques on the methods of countering the Environmental Disasters and reduce their damages.
  2. List the available local, national and international capabilities, and determine the way of using them to achieve a rapid disaster counteraction.
  3. Conduct training and tests to establish the extent of alertness for emergency team individuals, and present the weaknesses in their performance, and the means of developing the plan or the team performance.
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#### **Article 22**

The emergency plan shall include the following:

1. Determine the kind of Environmental Disaster and the authorities responsible for reporting or predicting.
  2. Establishment of a central control centre to receiver ports of Environmental Disasters and follow-up with receiving and sending accurate information aiming to mobilise the necessary capabilities to counteract such disasters.
  3. Formation of a work group to follow up the existing and predicted Environmental Disaster countering measures. The authorities responsible for the aforesaid working group shall have all necessary power to address the disaster, by cooperation and coordination with the specialised Administrative Authorities.
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#### **Article 23**

In order to protect human safety or securing the Establishment in urgent compulsive situations, the measures and standards issued in the application of the provisions of this law may not be followed. In such cases, the Council and the competent Administrative Authorities shall be notified.

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## **Chapter Four**

### **Wastes and Hazardous Materials**

#### **Article 24**

The import, introduction passage through, or throwing, burying, injection, or putting or storing into the country of hazardous material shall be prohibited.

It shall not be permitted without permission from the Competent Administrative Authority to allow waste carrying ships to pass through the territorial waters or the EEZ of the State.

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#### **Article 25**

It shall be prohibited, unless licensed by the Competent Administrative Authority after the approval of the Council, to establish Projects for the purpose of

treating Hazardous Waste. It shall also be prohibited, unless in the places identified by the Executive Regulation and in accordance with the terms and conditions thereof, to dispose Hazardous Waste. The Council shall, in coordination with the competent Administrative Authorities, publish a table indicating Hazardous Waste, the places and conditions of disposal thereof.

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## Article 26

It shall be prohibited, unless with the approval of the competent Administrative Authorities to import, handle or transport Hazardous Waste.

The Executive Regulation shall enact the procedures and conditions of licensing the competent authority thereof and the rules and procedures of managing Hazardous waste. The Council shall in coordination with the competent Administrative Authorities issue a table indicating Hazardous waste.

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## Article 27

Whosoever in charge of producing, handling or transporting hazardous substances, whether in their gaseous, liquid or solid form, shall take all precautions to prevent any damage to the Environment. In accordance with the provisions of this law, the owner of the Establishment producing potentially Hazardous Waste must keep a record of this waste and statement of mechanisms of disposing thereof, and the contracting bodies to receive these wastes according to the procedures, conditions and patterns determined by the Executive Regulation.

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## Part 2

### Protection of Air Environment against Pollution

## Article 28

The location of the Project shall be suitable to the Establishment activity. The air pollutants within such Establishment shall not exceed the allowed limits. The total pollution resulting from the collective Establishments in one area shall be within the allowed limit. The Executive Regulation shall determine the Establishments subject to provisions thereof; the competent authority to approve the suitability of the location; the allowed limits of air pollutants; and the Noise in the area the Establishment is located.

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## Article 29

Save as otherwise provided for in the conditions, restrictions and safeguards of the Executive Regulation, in order to ensure the nonof humans, animals, plants, watercourses or any other environmental habitat, directly or indirectly, presently or in the future to any harmful effects, spraying pesticides or chemical compounds for agricultural purposes, public health or any other purposes shall be prohibited.

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## Article 30

Projects subject to the provisions of the present Law shall, in practicing activities thereof as determined by the Executive Regulation, be committed to prevent emission or leak of air pollutants beyond the maximum permissible limits.

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## Article 31

Equipment, engines or vehicles producing polluting exhaust emissions beyond the maximum allowed limit determined by the Executive Regulation may not be used.

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## Article 32

It shall be prohibited to throw, Discharge, treat or burn refuse and liquid or solid wastes, except in the specified locations located far from residential, industrial, agricultural and water effluents. The Executive Regulation shall determine the specifications, restrictions, the minimum distance of the specified refuse and waste locations from such places. The Administrative Authorities shall treat waste and refuse within their jurisdiction as provided for in the Executive Regulation.

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## Article 33

The smoke, gas and vapours emanating from the burning of any type of fuel or any other substance, whether in industry, energy generating constructions, or any other commercial purpose, shall be within the permissible limits. The person in charge of such activity shall take all the necessary safeguards to minimise the quantity of pollutants in the combustion emissions. The Executive Regulation shall determine the safeguards, permissible limits and specifications of chimneys, and any other smoke, gases and vapour controllers emanating from the combustion.

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## Article 34

Without prejudice to the rules and principles of the international Oil industry provided by the Competent Administrative Authority, the authorities responsible for works of search, exploration, digging, taking out, and producing of crude Oil, refining and processing thereof shall abide by the restrictions and procedures stipulated in this law and its Executive Regulation.

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## Article 35

All authorities and individuals shall, when carrying out concretion, cracking, exploration, digging, construction, or demolition works, or transporting the resulting material, wastes, or dirt thereof, take the necessary precautions for safe storage or transporting to prevent fallout thereof as determined by the Executive Regulation.

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## Article 36

All authorities and individuals shall not, when conducting production, service or other activities, particularly when operating machinery and equipment, alarm devices and loudspeakers, exceed the permissible limits for the sound oscillation as provided for in the Executive Regulation. The licensing authorities shall observe that the total sound from the fixed sources in one area is within the permissible limits and that the Establishment has selected the appropriate equipment and machinery to fulfil that.

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## Article 37

The Project owner or the Establishment shall take necessary precautions and measures to prevent the leakage or emission of air pollutants inside the working area, whether such pollutants are resulting from the nature of the Establishment activity or from malfunction of the equipment, except within the permissible limits as provided for by the Executive Regulation. The Project owner shall provide the necessary protection means to the workers, in execution

of occupational health and safety conditions, including the selection of appropriate machinery, equipment, materials and types of fuel. The exposure time to such pollutants shall be taken into account. Further, the Project owners shall ensure the sufficient ventilation and shall fix chimneys and other means of air purification.

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## Article 38

The Project owner or the Establishment shall take the necessary procedures to maintain the temperature and humidity degrees inside the working area within a range not exceeding the permissible maximum limit and not less than the permissible minimum limit. In cases where the work necessary requires the work to be carried out in such conditions outside the temperature and humidity permissible ranges, the Project owner or the Establishment shall provide the appropriate protection means for the workers such as special uniforms and any other means of protection. The Executive Regulation illustrates the maximum and minimum limits for the level of temperature and humidity and duration of exposure and means of protection from them.

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## Article 39

Closed and Semi-Enclosed Public Areas, Establishments and Projects shall be equipped with sufficient ventilation means, pro rata to the place size, capacity and kind of activity thereof, to ensure the circulation, purification and adequate temperature level.

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## **Part 3**

### **Protection of the Aquatic Environment from Pollution**

#### **Chapter One**

#### **Surface and Groundwater Protection and Sustainability**

## Article 40

Subject to the restrictions and procedures of the Competent Administrative Authority, the groundwater resources shall be sustainably exploited so as not to affect the available resources, characteristics, or rules of distribution and use thereof.

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## Article 41

Without prejudice to the applicable laws and decisions on regulating the drilling of groundwater wells, it shall be prohibited to throw, Discharge, or dispose solid liquid or gaseous substances in the surface and groundwater sources and aquifers used for drinking.

The Executive Regulation shall determine the criteria of drinking water, well water, sewage and method of monitoring and the control of different kinds of water.

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#### **Chapter Two**

#### **Marine Environmental Protection**

## Article 42

The protection of the marine Environment from pollution aims to apply preventive and precautionary approaches to protect the State coasts and ports from all types, forms and sources of pollution risks; and protection of the territorial waters, the natural resources of the EEZ and the continental shelf, by

## **1- Pollution from Vessels**

### **a) Oil Pollution**

#### **Article 43**

All Vessels and tankers shall be prohibited from discharging Oil or Oil Mixture in the territorial waters or the EEZ of the country. All Vessels and tankers visiting the ports of the State shall implement all the requirements and obligations provided for in this law and the Executive Regulation thereof.

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#### **Article 44**

Unless safe, non-harmful means to the Aquatic Environment are used, wastes and pollutant substances are treated in accordance with the existing state-of-the-art disposing techniques compatible with the criteria stated in international and regional agreements sanctioned by the State, it shall be prohibited for Authorities permitted to explore, extract, or exploit offshore Oil fields and other marine natural resources, or use Oil Transporting facilities, to dispose any polluting substance arising from or related to drilling, exploration, wells testing, or production in the territorial waters or the EEZ of the State.

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#### **Article 45**

The owner and captain of the Vessel or any officer in charge of maritime Oil Transporting facilities located in the ports, onshore and the territorial waters, or the EEZ and Oil companies shall immediately notify the competent Administrative Authorities of each Oil spill accident upon its occurrence, indicating the accident circumstances, the kind of leaked material and the procedures taken to stop or minimise the leakage, and any other information as stated in the Executive Regulation. The owner and the captain of the ship are responsible for any Oil leak accident caused by error or negligence or ignoring the necessary precautions to prevent that accident. And in all cases, the specialised administrative Authority must report to the Council all information about the accident indicated above immediately after the accident.

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#### **Article 46**

The owner or captain of the Vessel registered in the State or abroad shall keep a record of the Oil in the Vessel, indicating all Oil related operations and in particular the following operations:

1. The loading, delivery or other Oil cargo operations stating the type of Oil.
2. Disposal of Oil or Oil Mixture for the safety of the Vessel or cargo or saving lives indicating the type of Oil.
3. Oil or Oil Mixture spill as a result of collision or accident indicating the Oil proportion and size of spill.
4. Drain of Dirty Ballast Water or tankers wash water.
5. Disposal of pollutant wastes.
6. Disposal, while anchored at the port, of Vessel waters, including Oil gathered in the machineries area outside the Vessel.

The Executive Regulation shall determine how to record Oil or Oil Mixture drainage operations of platforms established at the Aquatic Environment.

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#### **Article 47**

The Competent Administrative Authorities shall provide, at specified receiving ports, the necessary installations, stores and equipment to receive the Oil and

## Article 48

The tonnage of such Vessels shall be specified by the Executive Regulation. These Vessels shall use the Qatari ports, or navigate through the jurisdiction thereof, and shall be equipped with pollution reducing devices as determined by the Executive Regulation.

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## Article 49

Without prejudice to the provisions of the International Convention on Civil Liability for Oil Pollution Damage ("CLC") signed in Brussels in 1969 and amendments thereof, and in accordance with the restrictions issued by a Decree by the Competent Minister in coordination with the Council, 2000 gross tonnage and more Oil tankers working in the territorial sea or the EEZ of the State, shall submit to the Competent Administrative Authority a financial guarantee bond, in the form of an insurance or compensation note, or any other guarantee. The guarantee bond shall be submitted when the tanker enters the territorial sea, provided that such guarantee is valid and the responsibility thereof covers all the damages that arise from the potential pollution accidents thereof, as estimated by the Competent Administrative Authority.

The guarantee bond for Vessels registered in a State party to the aforesaid International Conventions shall be issued from the Competent Authority in the State thereof.

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## Article 50

Vessels regularly transporting Oil to and from any Qatari port, or from any Oil Transporting facilities in the territorial sea, or the EEZ of the State, shall have an Oil Pollution Prevention Certificate ("OPOC") as per the Executive Regulation.

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### **b) Hazardous Substances Pollution**

## Article 51

Vessels and Oil tankers in the territorial sea or the EEZ of the state shall be prohibited from any of the following acts:

1. Intentionally or unintentionally, directly or indirectly, throwing or discharging any hazardous or polluting liquid substances, wastes, or dead animals that cause harm to the Aquatic Environment or public health, or any other permitted use of the sea.
2. Dumping Hazardous Waste or substances.
3. Disposing of Hazardous Waste and substances carried in parcels or cargo containers, tankers and vehicles.

The Executive Regulation shall determine hazardous and risky liquid and nonthe Aquatic Environment.

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## Article 52

The Competent Administrative Authorities shall equip the shipping and delivery ports to receive tankers provided for in the first paragraph of the preceding article, and the ships repairing docks, with the appropriate facilities to receive the hazardous liquid substances and wastes thereof.

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## Article 53

It shall be prohibited for Vessels and sea platforms to Discharge contaminated sewage drainage in the onshore or territorial waters, the EEZ of the State. Sewage shall be disposed according to the criteria and procedures provided for in the Executive Regulation.

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## Article 54

It shall be prohibited for Vessels and sea platforms, conducting exploration and exploitation of the mineral and natural resources in the Marine Environment of the State, and also the ships using the ports, to throw refuse or waste in the onshore waters or territorial waters, the EEZ of the State. Vessels and sea platforms shall deliver such refuse or waste in the containers specifically made for waste or in the areas specified by the Competent Administrative Authorities.

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## **2- Pollution from Land –based sources**

## Article 55

Subject to the provisions of the Protocol concerning Pollution from Land-Based Sources and Activities referred to above, such sources shall include any fixed or mobile municipal, industrial, agricultural, Land-Based Sources, which Discharge their effluents into the Marine Environment and in particular the following sources:

1. Estuaries and pipelines that Discharge into the sea.
  2. Canals or water runoffs, including groundwater aquifers.
  3. Fixed and mobile maritime installations used for purposes other than exploration or exploitation of the sea floor, earth ground and continental shelf, including sea platforms and drillers, man-made islands, etc.
  4. Any other Land based sources located in the State lands, whether through water, air, or directly from coast.
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## Article 56

It shall be prohibited for all Projects and Establishments including public places and commercial, industrial, recreational and service Establishments, to Discharge or dump intentionally or unintentionally, directly or indirectly any nontreated substances, wastes or fluids potentially polluting to the onshore or contiguous waters.

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## Article 57

For Licensing any Project, Establishment or premise on the seafront or nearby that may Discharge pollutants in violation to the provisions of this law and implementing decisions thereof, the licensor shall conduct an Environmental Impact Assessment, and commit to provide the necessary waste treatment devices.

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## Article 58



The Executive Regulation shall determine the specifications and criteria for the industrial Projects permitted to Discharge polluting substances, after treatment. The Executive Regulation shall also determine the non-biodegradable polluting substances industrial Establishments are prohibited from discharging in the Aquatic Environment.

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## Article 59

The representative, or those responsible for the Project or the Establishment management as stated in Article 56 of this law, which drain in the water Environments, is responsible for any violation performed by the workers, and also responsible of providing the treatment means typical to the standards and specifications as determined by the Executive Regulation.

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## Article 60

Subject to the provisions of Law No. 10 of 1987 referred to above, it shall be prohibited to establish any Project or Establishment on the coastal areas to a minimum distance of 200 meters from the coast line seaward, save after the agreement of the Competent Administrative Authority in coordination with the Council. The Executive Regulation shall regulate the relevant procedures and conditions.

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## Article 61

Subject to the provisions of Law No. 4 of 1983, it shall be prohibited to carry out any work that affects the natural flow line of the coast, or changing thereof to seaward or the tide line, except after the permission of the Competent Administrative Authority, in coordination with the Council. The Executive Regulation shall regulate the relevant procedures and conditions.

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## **Part 4**

### **Administrative and Judicial procedures**

## Article 62

The staff of the General Secretariat, mandated by a decision issued by the Chairperson of the Council shall have the capacity of law enforcement officers. Such capacity shall also be bestowed on the staff of other administrative authorities mandated to the Council for this purpose to investigate offences violating the provisions of this law, the Executive Regulation, and implementing decisions thereof. The staff shall have the authority of inspecting all places suspected of carrying out an activity affecting the Environment, to monitor the application of the provisions of this law and Executive Regulation thereof.

The staff shall have, at any time, the right to enter places suspected of violating the provisions of the environmental legislation, issue violation reports and take the prescribed legal procedures there for. In particular they shall conduct the following:

1. Enter and inspect Establishments with respect to safety and operation laws thereof.
  2. Request reports on activities likely to cause environmental pollution or degradation.
  3. Take samples of waste and material used in, or stored or produced from the Project to ensure compliance with the systems and measures of the environmental protection.
  4. Climb on board ships and sea platforms, enter onshore Establishments and inspect Oil Transporting facilities and pollutant substances to the Marine Environment to ensure compliance by the provisions of this law and its Executive Regulation, and implementing decisions thereof; provide equipment and means of waste treatment in compliance with safety and operational conditions and directives.
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## Article 63

Law enforcement officers provided for in the preceding Article shall, upon the speedy attempt of departure by the captain or in charge of the violating Vessel, collect monetary insurance there from to cover the probable imposed fines and compensation that shall not be less than the minimum prescribed limit determined to the violation, including all expenses and damages estimated by the Competent Administrative Authority, to remove the violation. Instead of paying the monetary insurance, a bank guarantee letter or any other guarantee accepted by the Competent Administrative Authority may be submitted in accordance with the relevant international law rules, in particular the provisions of the International Convention on Civil Liability for Oil Pollution Damage("CLC") signed in Brussels in 1969.

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## Article 64

Without prejudice to the provisions of the preceding Article, the Competent Administrative Authority shall take the legal procedures to confine any Vessel, the captain, owner or person in charge thereof, refrains from paying immediate fines and damages as prescribed in the event of *flagrante delicto* or in the event of a speedy attempt of departure as stated in the previous article. The confinement shall be cancelled in the event of due payment, or the submitting of an unconditional financial guarantee.

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## Article 65

The captain, owner or person in charge of a Vessel using the Qatari ports, or licensed to work in the territorial sea or contiguous zone, or the EEZ of the State, shall present to the Competent Administrative Authority representatives or law enforcement officers entrusted with the enforcement of this law, regulations, and implementing decisions thereof, the necessary facilities to conduct their job.

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## Part 5

### Sanctions

## Article 66

Without prejudice to any more sever sanction set for thunder the Penal Code or any other law, whoever violates the aforesaid provisions of the Articles mentioned in this Part shall be punished with the sanctions stated against each, in the event of recidivism the punishment shall be doubled.

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## Article 67

Whoever violates the provisions of Articles 31, 35, 36/1 of this law shall be punished with a fine of not less than one thousand Qatari(1,000) Riyal and not exceeding twenty thousand Qatari(20,000) Riyal.

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## Article 68

Whoever violates the provisions of Articles 13/2, 16/1, 18, 32/1, 33, 37, 38, 48,60, 61 of this law shall be punished with a fine not less than five thousand Qatari(5,000) Riyal and not exceeding fifty thousand Qatari(50,000) Riyal.

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## Article 69

Whoever violates the provisions of Articles 27/ 2, 29, 30, 41, 45/1, 53, 54, 56 of this law shall be punished with imprisonment for a term not exceeding one year and/or a fine not less than twenty thousand Qatari(20,000) Riyal and not exceeding hundred thousand Qatari(100,000) Riyal.

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## Article 70

Whoever violates the provisions of Articles 25/1, 26, 27/1, 45/2, 51/1, 2 of this law shall be punished with imprisonment for a term not less than one year and not exceeding three years and/or fine not less than hundred thousand Qatari(100,000) Riyal and not exceeding three hundred thousand Qatari(300,000) Riyal.

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## Article 71

Whoever violates the provisions of Articles 24, 25/3, 43, 44 51/3 of this law shall be punished with imprisonment for a term not less than three years and not exceeding ten years and/or fine not less than two thousand Qatari(200,000) Riyals and not exceeding five hundred thousand Qatari(500,000) Riyals

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## Article 72

In the application of the provisions of the present law, whoever sentenced in a similar crime with any one of the punishments prescribed for the violations of the provisions therein, before the lapse of five years from the date of expiry of a sentence or the date of its abatement by prescription, shall be considered a recidivist.

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## Article 73

The court may, upon judgment of conviction, order *mutatis mutandis* to close the Project or the Establishment, deportation of the foreigner from the country, or confiscation of tools and equipment used in the violation, and ordering the perpetrator to remove the violation and take remediation action.

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## Article 74

If the perpetrator, or under his name, or for his favour, is a corporate person, the legal representative thereof shall be punished as an accomplice of the perpetrator, punished with the punishments stated in this law. The legal representative of the corporate person shall be exempted from the punishment if it is proved that the crime has taken place without the knowledge thereof or compulsory, or to his harm, or another person on his behalf practice his jurisdictions, or perform a reasonable effort to avoid the crime aimlessly.

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## Article 75

The Vessel owner, captain, provider, and person in charge thereof ,and owners of the Projects and Establishments, shall be collectively responsible for all the damage arising from violating the provisions of this law, and shall pay the prescribed fines, damages and the costs of removing effects thereof.

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