

**Law No. 19 of 2006**  
**on the Protection of Competition and the Prevention of**  
**Monopolistic Practices**

We, Hamad bin Khalifa Al Thani, Emir of the State of Qatar, having examined:

the Constitution;  
the Agreement Establishing the World Trade Organization and the Multilateral Trade Agreements annexed thereto, Qatar's accession to which was ratified by Decree No. (24) of 1995;  
the proposal of the Minister of Economy and Commerce;  
the Bill presented by the Council of Ministers;

and after consulting the Advisory Council;

have enacted the following Law:

**Article 1**

In application of the provisions of this Act, the following words and expressions shall have the meanings given below, unless the context requires a different meaning:

The Ministry:	Ministry of Economy and Commerce
The Minister:	Minister of Economy and Commerce
The Committee:	Committee for the Protection of Competition and Prevention of Monopolistic Practices
Persons:	Natural or juridical persons, or any other legal entity whatever form it may take, involved in economic or commercial activity
Products:	Goods and services
Control or domination:	The power of a person, or group of persons acting together, to dominate the market and effectively to influence prices and the volume of products on offer, while their competitors have no power to prevent this
Market:	This has two elements: the specific products and the geographical area. Specific products means products that may be considered as interchangeable; in other words, as far as the recipient of the goods or services is concerned, they can replace one another; this includes products offered by competitors in other markets near the consumer. Geographical area means the market in a particular geographical zone, where conditions of competition are similar and where both buyers and sellers of products interact to limit prices.

**Article 2**

Without detriment to provisions laid down by current international treaties and agreements, the practice of economic and commercial activity shall be such as not to lead to the prevention, restriction or impairment of competition, in accordance with the provisions of this Act.

**Article 3**

It is forbidden to enter into agreements, to conclude contracts or to undertake practices that violate the rules of competition, in particular the following:

1. Manipulating the prices of the products being handled, either by raising, lowering or fixing those prices, or by any other means.
2. Limiting the freedom of products to enter or exit markets, either completely or partially, by concealing them, refusing to handle them despite the fact that they are available, or stockpiling them without justification.

3. Deliberately provoking a sudden glut of products which causes them to circulate at a price that affects the economic performance of other competitors.
4. Preventing or hindering any person from practicing economic or commercial activity on the market.
5. Unjustifiably concealing from a particular individual, either completely or partially, the products available on the market.
6. Restricting production, manufacture, distribution or marketing of products; or limiting the distribution, volume or kind of services, or placing conditions or restrictions on their supply.
7. Dividing or allocating product markets on the basis of geographical area, distribution centres, type of customers, seasons or time periods, or goods.
8. Coordination or agreement among competitors with regard to presenting, or failing to present, bids in public tenders, negotiations and calls for procurement.  
This does not include joint offers previously announced by the participating parties, as long as this is not in any way intended to prevent competition.
9. Knowingly distributing false information about products or their prices.

#### **Article 4**

Persons who exercise control or domination shall not misuse it through unlawful practices, in particular the following:

1. Refraining from, limiting or hindering the handling of products, either for sale or purchase, in such a way as leads to the imposition of artificial prices.
2. Reducing or increasing the available quantities of a product so as to provoke an artificial lack or glut of the product.
3. Refraining, without lawful justification, from concluding product sale or purchase agreements with any person, selling the products being handled for less than their effective cost, or ceasing to handle them altogether in such a way as limits that person's freedom to enter or exit markets at any time.
4. Imposing the obligation not to manufacture, produce or distribute a product for a set period or set periods of time.
5. Imposing the obligation to limit the distribution or sale of a product or service, on the basis of geographical areas, distribution centres, clients, seasons or periods of time, among persons with a vertical relationship.
6. Making the conclusion of a sale or purchase contract or agreement for a product conditional on the acceptance of obligations or products unrelated - by their nature or by commercial custom - to the original transaction or agreement.
7. Relinquishing the principle of equality of opportunity among competitors, differentiating some competitors from others in the conditions of sale or purchase agreements, without lawful justification.
8. Failing to make a scarce product available when its availability is economically viable.
9. Obliging a supplier not to deal with a competitor.
10. Selling products below their marginal cost or average variable cost.
11. Obliging one's associates not to allow a competitor access to utilities or services of theirs that the competitor may need, despite this being economically viable.

#### **Article 5**

Upon request from parties concerned, the Minister may decide to make certain bids, agreements or contracts that limit competition exempt from the scope of the proscriptions contained in the two preceding articles, when to do so is in the interest of the consumer.

#### **Article 6**

The provisions of this Act do not apply to sovereign ventures of the State, or to the ventures of institutions, groups, companies or entities subject to State direction and supervision.

### **Article 7**

A committee called the "Committee for the Protection of Competition and Prevention of Monopolistic Practices" shall be created within the Ministry. It shall report to the Minister and its members shall include experts in the fields of economics, finance and law, as well as representatives from the Ministry and relevant stakeholders.

The Committee shall be constituted by decision of the Prime Minister, at the proposal of the Minister.

The Secretariat of the Committee shall be headed by an official, or officials, of the Ministry whose appointment, competencies and recompense shall be determined by a decision of the Minister.

### **Article 8**

The Committee referred to in the preceding article shall:

1. Create a database and gather integrated information about economic activity, which it shall update and develop to serve the work of the Committee in all areas associated with the protection of competition and prevention of monopolistic practices; it will also undertake appropriate studies and research to that end.
2. Receive reports relating to violations of the provisions of this Act, examine those reports to determine their seriousness and take appropriate measures.
3. Coordinate with similar agencies in other States on matters of mutual concern.
4. Issue a periodical bulletin containing the Committee's decisions, recommendations and measures, and others provisions relating to its activities.
5. Prepare an annual report on the Committee's activities, proposals and future plans, to be presented to the Minister, with a copy to be sent to the Council of Ministers.
6. Express its views on draft laws and regulations relating to competition and the prevention of monopolistic practices.

The regulations implementing this Act define the procedures to be followed by the Committee to investigate actions that involve or represent violations of the provisions of the Act.

### **Article 9**

The director, deputy director and members of the Committee, and ministerial officials who, by decision of the Procurator General in agreement with the Minister, have been granted the status of law-enforcement officers, shall investigate and ascertain any offences that violate the provisions of this Act. To this end, they have the right to enter the places of business and facilities in which an offender performs his activities, in order to carry out searches and examine documents and registers.

### **Article 10**

Persons who wish to acquire assets or rights of ownership or use, to buy shares, to set up mergers or unite bodies run by two or more juridical persons, in such a way as to control or dominate the market, must notify the Committee. The Committee shall then examine the notification and issue a decision thereon within a period not exceeding ninety days from the date of receiving the notification. If that period elapses with no decision having been made, this shall be considered as acceptance.

In all cases the proposed actions about which the Committee has been notified may not be implemented until either the Committee has issued its decision or the abovementioned period has elapsed without a decision having been made.

### **Article 11**

The provisions of the preceding article shall not apply to mergers or ownership which, in the Committee's view, assist economic development in a manner that compensates for any detriment to competition.

#### **Article 12**

The Committee can revoke any decisions it has issued under article 10 of this Act if it sees that the information it received from the persons concerned was untrue or fraudulent.

#### **Article 13**

It is forbidden to divulge any information or data relative to the implementation of the provisions of this Act, or to use that information for purposes other than those for which it was submitted.

#### **Article 14**

Any person may inform the Committee of any agreements, contracts or practices that contravene articles 3 and 4 of this Act.

#### **Article 15**

If it has been established that any of the provisions contained in articles 3, 4 or 10 has been violated, the Committee can order the offender to rectify his position and to remove the violation, either immediately or within a specified period of time. This does not affect any responsibilities that may arise as a result of the violation.

#### **Article 16**

No criminal proceedings may be initiated or measures taken vis-à-vis the offences defined in this Act, save with the written permission of the Minister or the person delegated by him, following a proposal from the Committee.

The Minister or his delegate may reach a compromise with regard to any violation, before a final judgment is rendered, in return for the payment of an amount not less than double the minimum fine and not exceeding double the maximum.

Any criminal proceedings lapse as a result of the compromise.

#### **Article 17**

Anyone violating articles 3, 4 or 10 of this Act shall be fined not less than 100,000 riyals and not more than 5,000,000 riyals.

In all cases the Courts shall undertake to confiscate the profits resulting from the contravention, and any other profits the offender may have obtained by means of unlawful competition.

#### **Article 18**

The party effectively responsible for the administration of the juridical entity involved in the contravention shall be subject to the same penalties as those stipulated for actions which contravene the provisions of this Act, if it is proved that he was aware of them and if his failure to carry out the duties imposed upon him by his administrative role contributed to the offence. The juridical entity shall be jointly responsible for paying any fines or compensation imposed if the contravention was committed by one of its employees, in its name or in its interests.

**Article 19**

The Minister shall issue the regulations and decisions necessary to implement the provisions of this Act.

**Article 20**

The competent authorities, each in its own field, shall be responsible for implementing this Act, which shall be published in the Official Gazette.

**Hamad bin Khalifa Al Thani  
Emir of the State of Qatar**

Issued at the Diwan of the Emir on 3 Jumada I A.H. 1427 (29 June A.D. 2006)