

## Qatar's "Press Law"



By David Salt and Emma Higham

Law No.(8) of 1979 regulates the media in Qatar (Law). A draft of a new law was released in June 2012 by the Government, but this has yet to take effect. The Ministry of Culture, Arts and Heritage is responsible for the enforcement of the Law.

### Only printed material?

The Law only applies to printed material. It does not expressly cover electronic media. It should be noted that the definition of printed material includes books, drawings, records, audio-tapes, photographs and 'other means of expression if placed into circulation'. There are also specific provisions regarding artistic works which refer to films, advertisements and theatre plays.

### Press publications

Press publications include newspapers, magazines or publications issued at various intervals in the same name. These publications cannot be published without obtaining a licence from the Ministry.

The publisher is liable to pay a guarantee of QR 2,000 for each press publication issued and QR 3,000 for each publication issued 3 times or more per week, to cover fines that might be issued.

The Ministry can demand a correction to be published if it considers news containing false or misleading information that affects the public interest has been published. A publication can be stopped for a maximum of 3 months if it publishes items contrary to the public interest. This period may be extended to one year where publications are deemed contrary to national interests or as serving the interests of a foreign country and can result in the cancellation of the licence. In this case, the publisher has a month to lodge a complaint before the Cabinet of Ministers.

### Proprietors, editors and journalists

The proprietor or editor of a press publication should be a Qatari national and must satisfy a list of criteria, eg. having a good reputation. Non-Qatari nationals from other Arab states only, may be editors for a period of 2 years if authorised by the Minister having satisfied a list of criteria, eg. have worked in a press establishment for a period of at least 10 years. The same conditions apply to journalists except, in such case, only 3 years' work experience with a recognised press organisation is required.

### Printing press and publishing houses

A licence is mandatory for owning, investing or managing a printing press or establishing a publishing house. Both the publisher and the individual responsible for the day to day management should be Qatari nationals.

### Prohibitions and penalties

It is a crime for published material to criticise the Emir of the State of Qatar or to attribute any statements to him without written permission from the Director of his Office.

There is also a list of banned issues which must not be part of any publication. Examples of these topics are:

- anything that incites or advocates the overthrow of the governing regime or offends it or causes any damage to the "supreme interests of the country"; and
- anything that may undermine the reputation of a person, his legacy, his commercial interests or may defame him, cause him financial loss or compel him to bestow a benefit on a third party or deprive him of carrying out his trade or performing his skill.

The penalties range from fines of QAR 300 – QAR 3,000 to a maximum of 6 months' imprisonment. In some cases this may be doubled. Confiscation of the printed materials and tools and the closure of publishing houses are also provided for. The penalties are more severe under Law No.(11) of 2004, the Penal Code where defamation is punishable by imprisonment up to 2 years and fines of QAR 20,000 while blasphemy attracts a penalty of up to 7 years imprisonment.

### Distribution of the printed material

A licence is required before printed material can be imported, exported or distributed in Qatar. Distribution includes pasting printed materials on walls or exhibiting them in windows of shops. A special licence is required if printed copies or voice recordings of the Holy Qur'an are being distributed.

### Censorship committees on artistic works

An artistic feature should not be made public before obtaining the approval of the competent Censorship Committee which consists of ministers and other individuals selected by the Minister. The Committee can censor or prohibit circulation as it sees fit.

*Note: all Qatari Laws (save for those issued by, eg. the QFC to regulate its own business), are issued in Arabic and there are no official translations, therefore for the purposes of drafting this article Clyde & Co LLP has used its own translation and interpreted the same in the context of Qatari laws, regulation and current market practice.*

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