

Regulation of Nursery Schools in Qatar



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An overview

Background

In February 2014 Law No. 1 of 2014 (the Law) took effect. The Law will regulate the process of licencing, and the operation of nursery schools in Qatar. The Law gives the Ministry of Labour and Social Affairs (the Ministry) the authority of supervising nursery schools in Qatar and is the first law issued specifically in relation to nursery schools in Qatar.

Scope and application of the law

The Law states that "a nursery school is a place designated for the care of children below four years of age, whether run by public or private schools". The Law provides existing nursery schools with a six-month period to comply with its requirements. This period can be extended for a similar period by a decision of the Minister of Labour and Social Affairs (the Minister). Article 24 of the Law states that the Minister shall issue necessary decisions for the implementation of the Law and existing decisions shall remain in effect to the extent they do not contradict with the provisions of the Law. The executive regulations of the Law are expected to be issued in the coming months.

Licensing Procedures and Requirements

Article 6 of the Law provides that the applicant for a licence to establish a nursery school in Qatar must comply with the following conditions:

- a) be at least 21 years old;
- b) have a good reputation and never have been convicted of a crime involving dishonesty or breach of trust; and
- c) make a deposit of QR100,000 with the Ministry, which shall remain valid throughout the original or extended term of the licence.

A nursery school licence will be granted for a period of one year, extendable for similar period(s) if the licence holder is successful in its application to extend and pays the appropriate fees. Fees payable under the Law shall be determined by a decision of the Minister issued from time to time.

Management of nursery schools

Only female employees may be employed to work in nursery schools and their employment will be subject to the provisions of the

Labor Law No. 14 of 2004. Nursery schools must be managed by a qualified director who will be aided by a general supervisor, an assistant supervisor, a dietician, a nurse and a physician. In addition, there should be an adequate number of guards, cleaners, drivers and other appropriate staff.

Supervision and penalties

Qatar nursery schools shall be supervised by the Ministry. Compliance with the Law and the designated classification conditions issued by the Ministry will be strictly enforced.

The Ministry will issue a written warning for any nursery which breaches the provisions of the Law on the first occasion that a breach occurs, indicating the nature of the breach and requesting that the breach is rectified within a period to be specified in the warning. In the event the breach is repeated or persists, the Ministry may deduct QR10,000 from the QR100,000 deposit. If the deduction is made the holder of the licence must make a 'top-up' payment to ensure that the deposit held is always an amount equal to QR100,000. Further, in the event of a breach, the Minister may at his discretion cancel a nursery school licence, place the nursery school under a temporary management, close it down for a maximum of three months or downgrade its classification.

The Law provides that the following breaches are punishable by imprisonment for a period not exceeding two years and or a fine not exceeding QR100,000:

1. establishing, managing, transferring or modifying a nursery school without prior authorisation from the Ministry;
2. submitting false information or records requested by the Law;
3. transferring the nursery school licence without the Ministry's written approval; and/or
4. operating a nursery school in contravention to its classification or any other requirements of the Ministry which may apply from time to time;

In addition to the above-mentioned penalties, the competent court may issue a decision to shut down a nursery school on a temporary or permanent basis.

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