

Law No. 38 of 2005 on the acquisition of Qatari nationality 38 / 2005

Number of Articles: 26

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

Having perused the Constitution;

The Qatari Nationality Law No. 2 of 1961 and the amending laws thereof;

The recommendations of the Interior Minister;

The draft law presented by the Council of Ministers (the Cabinet); and

Having consulted the Shura Council,

Have decided to issue the following Law:

Articles

Article 1

The following shall be deemed to be Qatari Nationals:

1. Those residents of Qatar who have been resident in the country since 1930 and who maintained regular legal residence in the country until the enforcement date of the aforementioned Law No. 2 of 1961.
 2. Any person who is proved to be of Qatari descent, albeit in the absence of the conditions set forth in the preceding sub-article, and additionally, any person in respect to whom an Emiri decree has been promulgated.
 3. Persons to whom Qatari nationality has been reinstated in accordance with the provisions of law.
 4. Any person born in Qatar or in a foreign country to a Qatari father in accordance with the preceding Articles.
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Article 2

Any non-Qatari may acquire Qatari nationality, by decree of the Emir, provided that:

1. On the application date for Qatari nationality he has been a regular resident in Qatar for not less than twenty-five consecutive years. This provision shall not be prejudiced by the applicant being absent from Qatar for not more than two months in a single calendar year, provided the applicant has the intention of returning. These periods of absence shall be deducted from the actual cumulative residence period. Should the applicant leave Qatar following the submission of the nationality application, and remain absent from Qatar for longer than six months, the Interior Minister reserves the right to disregard his previous residence, and discount his application.
2. He has a lawful means of income.
3. He is of good repute and has not been convicted of any offence impugning his honour or integrity.
4. Has good knowledge of the Arabic language.

In the application of the Qatari nationality rules, in pursuance of the provisions of this Article, priority shall be given to those applicants who have a Qatari mother.

Those born to a naturalised Qatari father in Qatar or outside Qatar shall be deemed to be a naturalized Qatari.

Those born in Qatar to unknown parents shall also be deemed to be a naturalised Qatari. Foundlings shall be considered as born in Qatar unless proven otherwise.

Article 3

In the event that an applicant for Qatari nationality dies before the nationality is granted, and his application satisfies the required conditions, his widow and their minor children may be granted Qatari nationality, contingent on the Emir's decision, upon an application by the widow and upon the recommendation of the Minister of the Interior. Minor children shall inform the Minister of the Interior, in writing, of their choice of their original nationality the year after they reach the age of majority (adulthood)..

Article 4

Qatari nationality shall be granted to those minor children below legal age who are resident with a naturalized person in Qatar at the time nationality is granted, and to those born after that date.

Qatari nationality may be granted, by a decision of the Emir, to the minor children of a naturalized person who are residing outside the country, after five years from the date of their first residence in Qatar, provided that they had not reached adulthood at the time of the application.

Minor children of naturalized persons, who are granted Qatari nationality in accordance with the provisions of the preceding paragraph, shall declare in writing to the Minister of Interior their choice of their original nationality within one year of reaching the age of majority.

The children of a naturalised person, who have reached the age of majority, may be granted Qatari nationality, by an Emiri decision, after fifteen (15) years have elapsed since taking up residence in Qatar.

Article 5

The wife of a naturalized person may be, by an Emiri decision, granted Qatari nationality by virtue of her husband, provided that her stay with him in Qatar extends for a period of at least five years from the date her husband acquired Qatari nationality.

Article 6

Notwithstanding the provisions of Articles 2 and 18 of this Law, by an Emiri decision Qatari nationality may be granted to those who have rendered great service to the country, or who have particular skills the country need, or students who excel by showing promising scientific ability. Based on the requirements of the public interest, Qatari nationality may be granted in such cases to the persons concerned, who may also retain their original nationality

Article 7

Qatari nationality may be reinstated, by an Emiri decision, to such person who proves to be of Qatari origin in accordance with sub-articles 1.1,

1.2, and 1.4 of Article 1 of this Law, provided that:

1. The person has resided in Qatar for at least three consecutive years.
 2. The person has a lawful means of income sufficient to meet his needs.
 3. The person has a reputation for honesty and is of good reputation.
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Article 8

In accordance with the provisions of Law No. 21 of 1989, which regulates marriage to foreigners, and upon submission of an official written request to acquire Qatari nationality, a woman may acquire Qatari nationality by virtue of being married to a Qatari citizen with whom she has maintained her marital status for a period of at least five years from the date of the marriage announcement.

In the event that the marriage is terminated by divorce or the death of the husband before the end of this aforementioned time period, and the wife is left with one or more children, she may be, by an Emiri decision, granted Qatari nationality if her residence in Qatar continued until the competition of this period. Based on the requirements of public interest before the elapse of the aforementioned period, the Minister of Interior may issue a decision deferring the wife's immediate acquisition of nationality for a renewable period of one (1) year.

Article 9

A wife who has acquired Qatari nationality in accordance with the provisions of Articles 5 and 8 of this Law shall not lose her nationality on any termination of the marital relationship, unless she entered into the marriage contract contrary to the provisions of Law No. 21 of 1989, or unless she has reinstated her original nationality, or unless she has acquired the nationality of another country.

Article 10

A Qatari woman shall not lose her nationality in the event of her marriage to a non-Qatari citizen unless it is proved that she has acquired her husband's nationality. In such a case, a renunciation of that nationality shall be required in order to restore her Qatari nationality.

Article 11

By an Emiri decision, Qatari nationality may be removed from a Qatari national if such person:

1. Joins the military forces of another country, and persists in this enlistment despite an order to desist therefrom.
2. Is employed by a country with which Qatar is at war.
3. Joins any authority, organization, association or group whose purpose is to undermine the social, economic or political structure of Qatar.
4. Is convicted of a crime which impugns his loyalty to the State of Qatar.
5. Acquires the nationality of another country.

The Qatari nationality may be, by an Emiri decision, reinstated to the person who has lost it in accordance with the preceding sub-article 11.5, if the public interest so requires.

Article 12

Without prejudice to the circumstances in the aforementioned Article, Qatari nationality may be withdrawn from a naturalized Qatari in any one of the following circumstances:

1. If nationality has been acquired by fraudulent means, false testimony, concealment of essential information, or support has been given to others to fraudulently obtain Qatari nationality;
2. Conviction for crimes pertaining to honour and integrity;
3. Dismissal from a public office as a result of an irrevocable disciplinary decision or order for reasons pertaining to honour or integrity;
4. Upon departing from the State for a period exceeding one year without presenting lawful justification for this absence.

Under any circumstances and on the proposal of the Minister of the Interior, Qatari nationality may be withdrawn from a naturalized person if this withdrawal is considered, with sufficient supporting justification, to be in the public interest.

Article 13

Save as otherwise provided for in the removal or withdrawal decision, the forfeiture of nationality shall only apply to the person concerned.

Article 14

Save as otherwise stipulated in sub-article 12.1 of this Law, decisions pertaining to the bestowal, withdrawal, removal/forfeiture or reinstatement of Qatari nationality, in accordance with the provisions of this Law, shall have no retrospective effect and shall be effective from the date of their coming into force.

Article 15

Individuals whose Qatari nationality has been reinstated in accordance with the provisions of this Law shall not be entitled to nomination or appointment in any legislative body until at least ten (10) years have elapsed from the date of the decision.

Article 16

Naturalized Qataris shall not be equated with Qatari nationals in terms of the right to work in public positions or work in general until five (5) years after the date of naturalization. Naturalized Qataris shall not be entitled to participate in elections or nominations or be appointed in any legislative body.

Article 17

In accordance with the provisions of Articles 2, 3, 4, 5, and 6, Qatari nationality shall not be granted to more than fifty (50) applicants in one calendar year.

Article 18

Save as by a decision of the Emir, it shall be prohibited for any person to have in addition to the Qatari nationality another nationality.

Article 19

Naturalized Qataris, immediately after being granted the nationality, shall swear the following *oath* of allegiance before the judges of a Court of First Instance:

"I swear by God Almighty to be loyal to the State of Qatar and the Emir, to respect the laws and regulations of the State, to serve my country with honour, truthfulness and loyalty, and to protect its security and stability."

Article 20

A Committee named "The Standing Committee for Naturalization" shall be established by an Emiri decision to determine its jurisdiction and procedural practice.

Article 21

Time periods stipulated in this Law shall follow the Gregorian calendar.

Article 22

Passports or personal identification shall not constitute evidence of Qatari nationality. In the event of disputes, a person's nationality shall be properly ascertained and validated through legally admissible evidence.

Article 23

Without prejudice to any severer penalty stipulated by any other law, individuals attempting to present false statements or documents before competent authorities for the purpose of establishing, acquiring or renouncing nationality for themselves or for others shall face a punishment of not less than three (3) years' and not more five (5) years' imprisonment and/or a fine of not less than thirty thousand (30,000) Riyals, and not more than one hundred thousand (100,000) Riyals.

Article 24

The Minister of Interior shall issue decisions required for the implementation of the provisions of this Law, and shall identify the documents to be attached to nationality applications and the fees due.

Article 25

The Qatari Nationality Law No. 2 of 1961 shall be repealed.

Article 26

All competent authorities, each within its respective jurisdiction, shall implement this Law, which shall be published in the Official Gazette.

Signee: Hamad Bin Khalifa Al-Thani, Emir of the State of Qatar

Signed at the Emiri Diwan on 30/10/2005
