

# **LAW NO. 30 OF 2002**

Decree of law No. (30) year 2002

## **Issuance law of environment protection**

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

After Pursuing the provisional amended constitution and in particular articles(23),(27),(37), thereof and the law decree (29) of year 1966, which stated the organization of Qatar maritime ports, and its amended laws.

And on law No. (8) 1974, stated the general cleansing and its amended laws.

On law No.(9) 1977, which stated the disregarded animals, and its amended laws and on law No.(3) 1975, which stated the typical, public, industrial, and commercial installations, and its amended laws.

And on decree in law No. (4) 1977, which stated the conservation of petroleum resources, and on the maritime law that issued in law No. (15) 1980.

And on law No.(12) 1981 that stated the agricultural quarantine, amended by law No.(6) 1996.

And on law No. (4) 1983 that stated exploitation and protection of live sea resources in Qatar, and its amended laws.

And on law No. (1) 1985 that stated the animal health and its amended laws.

And on law No. (10) 1987 that stated public and private real estates, and its amended laws.

And on law No. (1) that stated organization of excavation of groundwater wells, and its amended laws.

And on law No. (1) 1993, that stated the prohibition of agricultural lands and beach sand curettage that amended by law No. (33) 1995.

And on law No. (19) 1995 that stated the industrial organization.

And on law No. (32) 1995, that stated prohibition of vegetal environment and components damaging.

And on law No. (13) 1997 that stated the civil defense.

And on law No. (4) 2002 that stated the organization of hunting of terrestrial animals, birds and reptiles.

And on decree No. (55) 1978 that stated the approval of Kuwait regional agreement for the cooperation in maritime environment protection for the pollution and the protocol of regional cooperation in control of oil pollution and other injurious materials in emergency cases.

And on decree No. (51) 1988 that stated approval of the state of Qatar admission to the international agreement of establishment international fund for the compensation of damages resulting from oil pollution (Brucksell 1971).

And on decree No. (52) 1988 that stated the approval of the State of

Qatar admission to the agreement of the right of interference in case of accident causes oil pollution, or may cause oil pollution in high seas (Brucksell 1969) and its annexes.

And on decree No. (53) ?1988 that stated the approval of the State of Qatar admission to the international charter of civil responsibility of oil pollution damages (Brucksell 1969) that amended by a protocol ?1976.

And on decree No. (36) ?1989 that stated the approval of the protocol of maritime pollution resulting from exploration and exploitation of continental shelf.

And on decree No. (40) ?1992 that stated the determining of regional sea breadth of state of Qatar, and the neighboring areas.

And on decree No. (55) ?1992, that stated the protocol of maritime environment protection from pollution resulting from land sources.

And on the decree No. (15) ?1996, that stated the approval of the State of Qatar admission to pazell international agreement to command dangerous wastes transport and getting rid of them across the borders.

And on the decree No. (47) ?1996, that stated the approval of the admission to the Unites Nations setting agreement relating the change of climate.

And on the decree No. (90) ?1996, that stated the approval of biological variations agreement for 1992.

And on the decree No. (23) ?1999, that stated the approval of the State of Qatar admission to Vienna agreement 1985 concerning the protection of ozone stratum and Montreal executive protocol ?1987 that included the depleted materials of the ozone and its amendments for years 1990. 1992.

And on the decree No. (29) ?1999, that stated the approval of the State of Qatar admission to the international agreement to counteraction of desertification in the countries that suffer from acute draught or from desertification, especially in Africa.

And on resolution of Council of Ministers No. (17) ?1998, that stated, establish a permanent committee for emergency, and its amendments.

And on suggestion of Chairman of Supreme Council for the Environment and Natural Reserves.

And on the draft law introduced by the Council of Ministers.

### **Article (1)**

To act according to the rules of environment protection law, this is attached with this law.

### **Article (2)**

The Chairman of Supreme Council for the Environment and Natural Reserves issues, after coordinating with the specialized departments, the necessary decisions for the execution of the rules of the annexed law, in addition, he issues his executive regulation in a period not to exceed six month from the application date of the law.

All the ministries, the other governmental bodies, the corporations and the public departments, each in his field, has to issue the necessary determined rates and proportions to execute the rules of the annexed law, during the same period mentioned in the above Para.

### **Article (3)**

The installations, established in the date of issuance of this law, should make adjustment for their situations according to the rules of the annexed law, during two years from the application date of the rules of its executive regulation and any extending for this period, subject to a decision from H.H the Emir due to a suggestion from the Chairman of the Supreme Council for the Environment and Natural Reserves.

### **Article (4)**

To be cancelled, any rule disagreed with the rules of the annexed law.

### **Article (5)**

To the whole related bodies, each in his field, to execute the rules of this law. To be implemented after six month from the date of publish in the official journal.

H- H  
Hamad Bin Khalifa Al- Thani  
Amir of the State of Qatar  
Issued in Emiri chamber:  
22/7/1423  
29/9/2002

Environment Protection law  
Introductory chapter  
Definitions

### **Article (1)**

In the application of rules of this law, to be for the following words and statements, the definitions indicated in front of each of them, unless the statement aimed to different meaning.

1. Council: The Supreme Council for the Environment and Natural Reserves.
2. General Secretariat: The General Secretariat of the Council.
3. The administrative authority: any ministry or other governmental body, or general corporation general assembly.
4. The authorized body: any body responsible of issuing licenses of

functions practicing, or establishment of projects, which may expected to cause negative impacts on the environment.

5. The pure economical area: The area that extends to a distance of 200 nautical miles begins from the basic lines, from which starts the breadth of the regional sea.

6. The natural reserve: any area specified to shelter a kind of plants or animals, or birds, or sea live creatures that threatened by extinction, where elimination, hunting, or killing of these kinds is highly restricted, and a decision issued from the Council to mark out this area.

7. The Environment: The biosphere that includes the live creatures of humans, animal, and plant, and their surroundings of air, water, and soil, and that contains solid, liquid, or gases materials or radiations, and what established by human, like installations, industries or innovations.

8. Environment development: The policies and procedures that satisfy the everlasting development requirements in the State socially, culturally, and economically, and achieve the objectives and principles, that the law made for, also including the improvement of natural environment elements, and conservation of biological variation, historical, archeological, natural, current, and future heritage in the State.

9. Watery environment: The maritime environment and the inland waters including the groundwater, spring waters, and valleys, where there are natural resources, plants, fish, and other live creatures, and where there is air above and built in, installations, or fixed or mobile projects.

10. The maritime environment: The State Coasts, the sea, internal seas, the regional sea water, the neighboring area, the pure economical area and its depths, and all its components, live and inanimate creatures, where built in, installations or fixed and mobile projects.

11. Land sources: The municipal, industrial, agricultural fixed and mobile resources on land, which drainage reaches the maritime environment.

12. Environment Pollution: Any changes occur in environment characteristics, which lead directly indirectly to injure the live creatures or installations, or affect the human natural daily life.

13. Environment standard: The utmost limit for the degree of concentration of any of the pollutants in the different environment as an annual average and with utmost limit not allowed to be overtaken during a continuous hour without unbalancing the annual average value.

14. Deterioration of environment: The effect on environment that reduces its value, spoils its environmental nature, exhausts its resources, or injures both the life creatures or the installations.

15. Environmental catastrophe: The accident that caused by nature factors or man-made, which results to great damage in the environment.

16. Environment protection: The conservation of environment components and its development, and prevent its deterioration or pollution, or reduction of pollution frequency. These components consist of air, seas, and inland waters that include the groundwater, the terrain, the natural reserves, and the other natural resources.

17. Project or establishment: Any utility, project, foundation, or activity expected to be a source of pollution or environmental deterioration due to what determined by the executive regulation.

18. The environmental impact assessment: The study linked with the environmental feasibility analysis, which is made before the licensing of projects, which their construction or practicing of their functions may affect the safety of environment, to determine the potential environmental effects, and the appropriate, or control the negative effects, or maximize the positive inputs of the project upon the environment.

19. Environment protection measures: Limits or concentrations of pollutants that UN allowed to be overtaken in the natural environment components (the air ?the water ?the soil).

20. The dangerous materials: The solid, or liquid, or gas materials with dangerous characteristics that injure the man, animal, or plant health, or air, or perform a harmful impact on environment like poisonous, fragile, flammable, or of ionic radiations materials.

21. Dangerous wastes: The wastes of the different functions or operations, or their ashes, which composed of dangerous materials characteristics that has no subsequent original or alternative uses like clinical wastes from the medical functions and wastes resulting from manufacturing of pharmaceutical compounds, drugs, organic solubles, inks, paints, or jelly 물 and creams.

22. Handling of materials: All that leads to move them for collecting transporting, storing, treating or using.

23. Wastes management: Collection and transport of wastes, and returning and removing them.

24. Re- operating of wastes: The operations that allow extraction of materials or re- using them. Like using as fuel, or extraction of minerals and organic materials, or soil treatment, or oils refining.

25. Disposal of Wastes: The operation that does not lead to extraction of materials or reusing them again, like the embedding in the ground, or deep injecting, or drain for surface waters, or any other operations.

26. Air pollution: Any changes in characteristics or specifications of natural fresh air, which cause damage or danger on humans and Environment health, whether this pollution caused by natural factors, or man made, including noise.

27. Public area: The area arranged to receive all or specific category of people for any reason, or reasons.

28. The enclosed public area: The public area, which has the shape of covered building, with no ventilation except doors and windows (outlets).

29. The semi- closed public area: an area as an uncompleted building linked directly with outer air, which prevents complete closing

30. Noise: sound with oscillation exceeds the allowed limits.

31. Vessel (ship): any type of ships work in the maritime environment, include hydroveel boats, boats with air-pads, underwater boats, lunches, Fixed, floating platforms.

32. Oil : all kinds of crude oil and its products, this include any type of liquid hydro-carbonate, lubes, fuels, refined oils, steamer oils, asphalt, any other petroleum extracts and wastes.

33. Oil mix: (compound) any mixture contains a quantity of oil exceeds the limit determined in the executive regulation.

34. The dirty equilibrium water :( dirty ballast water): the water that found inside tankers on the ship if its oil contents exceed the limit determined in the executive regulation.

35. Oil transport means: any pipeline used to transport the oil, any other equipments used to load the oil, or delivery the oil or transport oil, or any other of pumping equipments and necessary equipments to use these pipelines.

36. Injurious materials carrier: The ship that built basically or modified to carry shipments of bulk injurious materials also includes oil carriers, when having complete or partial shipment of injurious material not packed due to rules of second section of third chapter of this law.

37. Drainage: any leakage, or flow, or discharge, Or unloading for any of pollutant materials or getting rid of them in the regional sea water or the neighboring area, or the pure economical area, with consideration to the levels determined in the executive regulation.

38. The sinking foundering:

(a) any meant throw in the maritime environment for polluted materials or wastes from ships, planes, or platforms. Etc.

(b) any meant discharge in the maritime environment for ships, or industrial components, or others.

39. Liquid materials injuring the watery environment: the articles mentioned in the second section in the second annex, Marbol agreement 1973, and its amendments 1978.

40. Pollutant elements and materials: any materials, solid liquid, gas, noise, radiations, heat, or quivering, caused by humans and leads directly or indirectly to pollution, or deterioration of environment.

41. Watery pollution: inserting of any materials, or energy in the watery environment, which causes damage in the solid / live resources, or threaten human health, or retard watery activities including fishing and touristic activity, or spoil the goodness of sea water for use, or reduced its enjoyment, or changes its characteristics.

42. The pollutant materials to watery environment: any materials drained into watery environment, intentionally, or unintentionally, which causes change in the characteristics, or participates directly or indirectly towards injury of humans, natural resources, or sea waters, or touristic areas, or overlap with other legal uses of watery environment.

First chapter

Environment Protection against Pollution

First Section

the enduring development and Environment

## **Article (2)**

The law aims to achieve the following purposes:

1. Protection of environment and maintain its quality and natural balance.
2. Counteract the pollution with its different shapes, and avoid any damages or instant, long range negative effects, which result from plans and programs of construction, industrial, agricultural, or economical development, or any other development programs which aim to improve life standard, and achieve the supplementary protection to the environment and conserve its quality and natural balance, and settlement of environmental awareness and principles of pollution counteractions
3. Development of natural resources and conserve the biological variation and exploit it to the maximum for the benefit of the current and Coming generations
4. Protection of society and health of humans, and other live creatures from all environmental injurious actions and functions, or that retard the legal use for the environmental media.
5. Protection of environment for the harmful impact of activities outside the State.

## **Article (3)**

The whole administrative bodies should take the necessary procedures and precautions to protect environment and counteract the pollution and maintaining of natural resources and continuity of natural material will competence to satisfy the development requirements for the current or coming generations.

## **Article (4)**

The whole administrative bodies should care of environmental considerations, and giving them a top priority, and contribute these considerations in all processes and levels of planning, and make the environmental planning a part of the overall planning for development in all industrial , agricultural, and Construction fields, and others.

## **Article (5)**

The whole administrative departments, each in its field of specialization, work on rationalization the use of the solid/ live resources, to maintain what regenerated, and developing it, or prolong the validity of the stagnant resources for the benefit of current, or coming generations

## **Article (6)**

All administrative and private bodies, are bound to inscribe the clause of environment protection and pollution counteraction in all local, international agreements and contracts, which their execution cause injurious effects on environment, and to include in them, clauses of penalties, undertaking of pay expenses to remove the Environmental damages and their compensations

### **Article (7)**

All departments responsible of education should insert environmental enlightenment materials in the educational curriculum in all levels of education. To make sure that these enlighten materials should be given a special consideration and work on establishing and developing specialized institutions in Environmental Science to graduate technical cadres. And all departments responsible of information should work on reinforcement of environmental enlightenment programs in different means of information, visual, readable /audible.

### **Article (8)**

The Council by Coordinating with the authorized administrative bodies assumes establishing, issuing, revising, developing, and modernizing measures and standards environmental protection.

### **Article (9)**

The Council by Coordinating with the authorized administrative departments, issue the regulations and decisions that deal with the maintaining the natural live genres and domesticated, especially, Those which are threatened by extinction in this respect, the Council is authorized to do the following :

1. Prevention of hunting the scarce natural live Creatures.
2. Prevention of cutting and uprooting and removal of big trees, small trees, and ground grass.
3. Establishment and managing of natural reserves.
4. Maintaining the live resources that include, domestic, tamed animals, and the domestic plants of comical value and improving them.

### **Article (10)**

The Council by Coordination with the specialized administrative bodies and the authorized departments should take precautions, which are necessary to avoid, prevent, or minimize the injury that happens to



environment to the minimum possible prior it takes place. It has to do the following specifically:

1. the temporary stopping or Cancellation for any activities, that it seem, has a negative impact on environment.
2. Imposing of Technical or operational restrictions, conditions, measures and standards, or any other necessary requirements

## Second Section

### Environmental Impact of Projects

#### **Article (11)**

The Council by Coordination with the related administrative bodies establishes the necessary standards, specifications, and basics and controls for evaluation of the environmental impact for projects and establishments, which required licensing, is authorized to do the following:

1. Determine the classes and sections of public, private development projects, which are expected to cause environmental damages.
2. Determine the areas and location of environmental importance due to the environment protection standards. And the executive regulation determines environmental impact evaluation procedures and the conditions of offering the environmental authorization for the project or operating authorization and, the cases of its stopping or canceling.

#### **Article, 12**

The plans and public, private, development projects, whatsoever their qualities, or locations, including the construction, agricultural, and industrial projects, should be submitted to the Council after planning and before execution, for revision and evaluation, and to check their sticking to scientific practical styles for appropriate environmental planning, due to the standards, specifications, and basics, and the controls mentioned in the former article

#### **Article, 13**

Without prejudice to other conditions that determined by the operative laws, it is not allowed for the licensing authorities to issue licenses for the projects that determined by the executive regulation due to the rule of article (11) from this law, except after presenting a study of environmental impact evaluation for it, and receive an approval of the Council according to the results of this study.

The operating of the project or establishment is forbidden before receiving the necessary license satisfying the environmental impact evaluation study and the Council approval.

The extensions and modification in the operative projects subject to the rules related to the environmental impact evaluation procedures.

#### **Article (14)**

The authorized department submits a copy of environmental impact evaluation study for the project to the General Secretariat to revise and submits it to the Council for a decision. The General Secretariat should inform those departments of the council decision within a period of thirty days from the date of receiving the study completed. If there is no answer from the General Secretariat within this period, this considered as an approval to the study.

Who is concerned, has the right to claim from the Council rejection, due to the basics and procedure and timing determined by the executive regulation.

#### **Article (15)**

The authorized department should make sure whether the new project and the major changes for the operative projects are using a technology available and economically feasible to control the pollution and prevent the Environmental deterioration, at the renewal of the operative projects licensing, the authorized department should make sure of its commitment in using the appropriate technology, that achieves the engagement of environment protection measures, which determined in the executive regulation.

#### **Article (16)**

The Owners of the project should keep a record to illustrate the establishment activity impact on the environment. The executive regulation establish a form for this record and the information registered in, the General Secretariat should follow-up the record information, to make sure that it is real, in this respect to have the necessary samples and perform the suitable test to specify the establishment activity impact on the environment, and determine its sticking to the measures for environment protection. If there are any violations, the General Secretariat should inform the specialized administrative unit to burden the owner of the establishment to correct these violations immediately., if not, makes the correction within sixty days, the council will take the necessary procedures, according to the violation, and claim of appropriate compensation, to treat the damages caused by these violations

#### **Article (17)**

All the administrative authorities, committed by coordination and cooperation with the General Secretariat to take all procedures and precautions as follows:

1. working on prevention of environmental negative effects that caused by its projects or the projects that under its control or that issue its

licenses.

2. Taking all appropriate procedures to secure application of rules in this law on its projects and projects under its supervision, or issue its licenses beside engaged by valid environment protection measures and issuing required systems, executes regulations, and instructions.

3. Observation and follow-up application of systems and measures of environment protection, and stick to them in its projects, or projects that under its supervision, and submit periodical reports to the Council.

4. Conduct the coordination with the Council prior issuing any licenses, or authorization, or measures, or specifications, or basics related to activities affecting the environment.

### **Article (18)**

Any body who designs or executes, or operates any project, must stick to the systems and measures of the environment protection, which determined by this law, or any other issues of application it. And also who intends to do work, or intends to give up an action, which leads to negative effects on environment, must identify its potential effects either through conducting environmental impact evaluation study related to it or by any other way determined by this law or its executive regulation, and take all necessary precautions, actions, or procedures to prevent the occurring of these effects, or minimize the potentiality of their happening to the minimum possible.

In case, any one of the potential environmental negative effects for any project due to doing an action, or not doing an action, the project owner must engage to take all necessary actions to stop, or minimize its effects as minimum as possible however, his doing the environmental impact evaluation, will not release him of responsibility.

### **Article (19)**

To all administrative departments and who acts supervision on any project, which may establish negative effects on environment, must put emergency plans and necessary means of applying them to prevent those effects, or reduce their risks. And must submit the plans and means to the Council for study and assume his appropriate decision in this respect due to the executive regulation rule.

### **Article (20)**

For any person, natural or moral, committed a responsibility of operating a project including functions or operations that may cause acute negative effects on environment, must assign a person to be responsible of guarantee achievement of those functions and operations due to basics and rules stated in this law and its executive regulation.

### Third section

#### Emergency plan to counter the environmental disasters

#### **Article (21)**

The coordination must be taken between the Council, the permanent emergency committee, and the administrative departments, to establish a general plan for emergency to face the environmental disasters, and that plan will not become operative, unless accredited from the Council of Ministers, the following is specifically considered in that plan:

1. Collection of information 궐 and systems (internationally, and domestically) available, about the method of countering the environmental disasters and reduce their damages.
2. Enumeration the available capabilities on local, national and international level, and determine the way of using them to achieve a rapid disaster counteraction.
3. Conduct trainings and tests to know the extent of alertness for emergency team individuals, and present the weaknesses in their performance, and the mean of developing the plan or the team performance.

#### **Article (22)**

The emergency plan includes the following:

- 1- Determine the environment disasters types and the authorized departments, which report of happened, or expected to happen.
- 2- Establish a central operation chamber to receive reports of environmental disaster and follow-up sending and receiving of related accurate information 궐 aiming to mobilize the necessary capabilities to face them.
- 3- Forming a work group to follow the countering of environmental disaster, when happened, or expected to happen, and the work group leader is authorized to have all necessary power to face the disaster, by cooperation and coordination with the specialized administrative departments.

#### **Article (23)**

In the accidental compulsive situations, it is allowed not to stick to the standards and measures that issued for application to the rules of this law, if the target is humans safety or securing the establishment safety. In this case, the Council and the specialized administrative departments should be notified.

### Fourth Section

#### Wastes and Dangerous Materials

### **Article (24)**

Importing, entering passing, laying, burying, injecting putting or storing of dangerous wastes in the state is restricted.

Unless authorized by the specialized administrative departments, it is restricted allowing passing of ships carriers of wastes in the regional sea or the pure economical area of the state.

### **Article (25)**

Establishment of projects to treat the dangerous wastes is restricted, unless licensed from the specialized administrative department after the Council approval.

Extraction of dangerous wastes is restricted, except due to standards and conditions and in the areas determined by the executing regulation.

And the Council issues, by cooperation with the specialized administrative departments, an information timetables of dangerous wastes, beside the Council determines areas and conditions of extraction of those wastes by coordination with the specialized administrative departments.

### **Article (26)**

The importing, dealing, or transporting the dangerous wastes, is restricted, unless authorized by the related administrative departments.

The executing regulation declares the procedures and conditions of offering authorization, and issued by the specialized department, with the basics and procedures of dangerous materials management and the council issues an information table of dangerous materials by coordination with the specialized administrative departments.

### **Article (27)**

Those who are in charge of producing, dealing or transporting dangerous, gas, liquid, or solid materials, should take all precautions to prevent any damages to the environment.

According to the rules of this law, the owner of the establishment, which causes dangerous wastes, must keep a record of these wastes and means of extracting them, and also the contracting departments that authorized to handle those wastes due to the procedures and conditions and forms determined by the executing regulation.

2nd Chapter

Protection of air environment against pollution

### **Article (28)**

The location of the project should be suitable to the establishment activity, that secure not to overtake the allowed limits of air pollutants, and the total pollution resulting from all establishments in one area, to be in the allowed limit.

The executing regulation determines the establishments controlled by its rules and the specialized department to approval on the suitability of the location and the allowed extents of the air pollutants and the noise in the area where the establishment is built.

### **Article (29)**

Spraying or using of insecticides, or any other chemical components for agricultural, or general health purposes, is restricted, unless considering the conditions and controls and guarantees determined by the executing regulation, which include preventing exposure of human, or animal, or plant, or water streams, or environment components, directly, or indirectly, recently, or in future, from the injurious effects for these insecticides or chemical components.

### **Article (30)**

All the projects subject to rules of this law must be obliged in practicing their functions, to prevent discharge or leak of air pollutants, to exceed the maximum possible of the limits, due to the executing regulation.

### **Article (31)**

Using of equipments, machineries, or vehicles, that resulting polluted exhaust to the environment is prohibited with a rate higher than the maximum possible limit determined by the executing regulation.

### **Article (32)**

Throwing, delivering, treating, or burning the garbage and liquid, solid wastes, is restricted, except in the arranged areas away of the agricultural, industrial and the residual areas, and the water streams. And the executing regulation determines the specifications and controls and the minimum possible for the distance of the arranged areas away from those places.

The administrative departments, engaged to the treatment of the wastes and garbage within their specialization due to what determined by the executing regulation.

### **Article (33)**

In burning any type of fuel or any other material, in industry, energy generating, or constructions, or any other commercial purpose, the

smokes, gases and harmful vapors, must result in the allowed limits, and the responsible of this function should take all necessary precaution to minimize pollutants quantity in the burning results indicated before, and the executing regulation to illustrate those precautions and the allowed limits and specifications of chimneys, and any other means of controls in smoke, gases, and the vapors discharged from the burning operation.

#### **Article (34)**

The departments responsible of works of search, exploration, digging, taking out, and producing crude oil, refining, and manufacturing it, must engage to the controls and procedures that stated in this law and its executing regulation, with consideration to basics, and international principles of oil industry, that provided by the specialized administrative department.

#### **Article (35)**

For all departments and individuals, when doing the works of solidification, or cracking, or exploration,, or digging, or building, or running, or transport what resulting from them, like materials or wastes, or dusts, must take the necessary precautions for safe storing and transporting to prevent aching due to what determined by the executing regulation.

#### **Article (36)**

For all department and individuals, when conducting the serving, or productive activities, or else, and especially in operating the machinery, and equipments, and using alarm machines and loud speakers, must not to exceed the allowed limit of the sound oscillation that determined by the executing regulation.

The specialized departments must consider that total of sound discharged from the fixed sources in one area in the allowed possible range. And to make sure of the establishment engagement of choosing appropriate equipment and machinery to fulfill that.

#### **Article (37)**

The owner of the project or establishment, emerged to take necessary actions and precautions to prevent leak or discharge of air pollutants inside the working area, except in the allowed limit, determined by the executing regulation, either it is caused by the nature of the establish function, or by a defect in the equipments, and must provide the

necessary protection according to vocational safety and health conditions, besides selection of suitable machinery, equipments, materials, and types of fuels, considering the exposure period for these pollutants, and has to secure the sufficient ventilation and assembling chimneys and other means of air purification.

### **Article (38)**

The owner of the project or the establishment has to take the necessary procedures to maintain the degree of temperature and humidity inside the working area not to exceed the allowed maximum limit and not to be less than the allowed minimum limit.

In case of work necessity may required the movement of temperature and humidity to be out of limit, so he must secure suitable protection means for the workers in terms of special uniforms and any other means of protection.

The executing regulation illustrates the maximum and minimum limits for the degree of temperature and humidity and duration of exposure and means of protection from them.

### **Article (39)**

The public closed and semi-closed areas, and establishment and projects, are conditional to be fulfilled to the sufficient ventilation means, which suit the area volume and its capacity and kind of activity practiced in, to maintain air renewal, purification and keeping a suitable temperature degree.

Third chapter

Watery environment protection against

Pollution

Section (1)

Surface and ground water protection

### **Article (40)**

The water storage of ground water that valid for use, subject to the controls and procedures that decided by the specialized administrative department, to get use of it with the extent that does not affect the available quantities, or their characteristics, or basics of their distribution and usage.

### **Article (41)**



Regarding the statements in the operative decisions and laws for organizing digging of ground water wells, throwing, draining, extracting of solid, liquid, gas materials, is restricted in the sources or the streams of surface water or ground water valid for use.

## Section 2

### Maritime environment protection

The maritime environment protection from pollution aims to protect and safeguard the State coasts and ports, from pollution risks with all their types, shapes, and sources, and protection of regional sea environment and natural resources of the pure economical area and the continental shelf, by prevention of pollution, regardless of its sources before happening and remove, stop, or minimize its effects to the minimum in case of happening.

First: Pollution from ships

#### 1- Oil pollution

### **Article (43)**

It is restricted for all ships and carriers to drain or throw the oil, or oily mixture in the regional sea or the pure economical area of the State. All ships and carriers port at State harbors must fulfill all requirements and obligations stated in this law and its executing regulation.

### **Article (44)**

It is restricted for departments authorized of exploration, or taking out, or exploitation of offshore oil fields and other maritime natural resources, or those who are authorized using of oil carrying means, drainage of a pollutant material caused by drilling, or exploration, or wells testing, or production operations in the regional sea or the pure economical area of the State, unless using safe means, which do not cause damages to watery environment, and treatment of the drained wastes and pollutant materials according to the available advanced technical systems, and what matched with conditions stated in the international, regional agreements approved by the State.

### **Article (45)**

The owner and the commander of the ship and those who are responsible of oil transport means located in the ports or internal waters or the regional sea, or the pure economical area, and also the working companies in oil production, must take the initiative immediately to inform the specialized administrative departments about any accident of oil leakage as soon as possible, with informing of accident circumstances, the type of material leak and the procedures taken to stop, or minimize the leak, and any other particulars stated in the executing regulation.

The owner and the captain of the ship are responsible of any oil leak accident caused by error or negligence or ignoring the necessary precautions to prevent that accident. And in all cases, the specialized administrative department must report the council of all information معلومات about the accident indicated above immediately after the accident.

### **Article (46)**

The owner and captain of the ship, which registered inside or outside the State, must keep a record for oil in the ship, containing all oil operations, and specially the following operations:

- 1- Conducting the loading and delivery operations and any other operations oily load transport with illustrating the type of oil.
  - 2- Drain of oil or oil mixture for the safety of the ship or its load or saving passengers with illustrating the type of oil.
  - 3- Leak of oil or oil mixture due to crash or accident, with showing oil rate and volume of leak.
  - 4- Drain of dirty balance water, or cleaning of tankers.
  - 5- Discarding of pollutant wastes.
  - 6- Throwing of ship waters with oil content that gathered in the machineries room, out of the ship when it is anchored in the port.
- The executing regulation determined the way of recording operations of drainage of oil or oily mixture of the sea platforms that established in the watery environment.

### **Article (47)**

The specialized administrative departments must provide in the specific arrival ports, the necessary constructions, provisions, and equipments to receive the extracts, wastes, sedimentations of oil and oily mixture from the anchored ships in those ports.

### **Article (48)**

The ships with the load capacity that determined by the executing regulation, and that used the Qatari ports, or travel through its area, must be equipped with pollution reducing equipments due to what is determined by the executing regulation.

### **Article (49)**

Without violation to the international agreement rules in the respect of the civil responsibility of the damages caused by oil pollution accidents that signed in (Bruckcell in 1969) and its amendments, the oil carriers of total manifest 2000 ton and more, that work in the regional sea or the pure economical area of the State, must present, to the specialized administrative department due to the controls issued by the specialized Minister Decree by coordination with the council, financial guarantee certificate, in a shape of insurance or compensation note, or any other guarantee. The certificate of guarantee must be issued at the carrier entering in the regional sea, and should be valid and cover its responsibility of compensation for all damages caused by the potential pollution accidents from its side, that estimated by the specialized administrative department.

Regarding the ships registered in a State joining the above mentioned international agreement, this certificate issued from the specialized authority for the State registering the ship.

### **Article (50)**

For the ships that carry oil regularly to/from any Qatari port, or from any of oil carrying means inside the regional sea, or the pure economical area of the State, must have the international oil pollution prevention certificate due to the executing regulation.

### **2- Injurious materials pollution**

### **Article (51)**

It is restricted to the ships and carriers in the regional sea or the pure economical area of the state, to conduct any of the following:

1- Throwing or drain any wastes, pollutant, injurious liquid materials, or perished animals, intentionally, or unintentionally, directly, or indirectly, that caused damage in the watery environment, or general health, or any other legal usages in the sea.

2- Throwing of injurious materials packed in parcels, containers, or mobile tankers or trucks.

3- Drowning of dangerous wastes and materials and the executing regulation, determines the liquid, solid materials, which damage the watery environment, and expose it to danger.

### **Article (52)**

The specialized administrative departments must prepare the shipping and delivery ports that made to receive the carriers that stated in the first part of the previous article, and also ships repair basins, with the suitable facilities to receive the injurious liquid materials and their wastes.

### 3- Pollution by sanitary drainage wastes and garbage

#### **Article (53)**

It is restricted for the ships and sea platforms drain the Contaminated sanitary drainage water inside the internal water, or regional sea, or the pure economical area of the State, and must get rid of it due to the standards and procedures that determined by the executing regulation.

#### **Article (54)**

It is restricted for the ships and sea platforms, that do the works of exploration and exploitation of the mineral and natural resources in the maritime environment of the State, and also the ships using the ports, to throw the wastes or byproducts in the internal waters or the regional sea or the pure economical area of the State, and must deliver the wastes in the containers, especially made for receiving the wastes or in areas determined by the specialized administrative departments.

### 2nd: Pollution from land sources

#### **Article (55)**

With considering the protocol rules of main time environment protection against pollution resulting from land sources indicated, these sources include either of municipal, or industrial, or agricultural, fixed, or mobile sources, which their drains reach the maritime environment and specifically the following sources:

- 1- Outlets and pipelines that drain into the sea.
- 2- Canals or watery streams that include the ground water streams.
- 3- Maritime establishments, fixed and mobile, that used for other purposes not including exploration or exploitation sea depth and bottom and continental shelf and sea platforms and drillers and the man-made islands and others.
- 4- Any other land sources located in the State lands, either through water, air, or directly from coast.

#### **Article (56)**

It is restricted for all projects and establishments including the public places and the commercial, industrial, touristic and serviceable establishments, to drain or throw any materials, or wates, or untreated liquids that cause pollution in the coasts or the neighboring waters, either caused intentionally or unintentionally, directly, or indirectly.

### **Article (57)**

The licensing for establish, any projects or establishments or shops at the sea beach, or nearby, that caused pollutant materials drainage as a violation to the rules of this law and decisions supporting it, the license applicant must conduct the environmental impact studies, and stick to provide the necessary means to treat the wastes.

### **Article (58)**

The executing regulation determines the specifications and standards that engaged the industrial projects, which are authorized to drain the soluble pollutant materials, after treatment, also determines the unsolluble pollutant materials, which are restrict to be drained in the watery environment by the industrial establishment.

### **Article (59)**

The representative, or the responsible of the project or the establishment management, that stated in Article (56) of this law, which drain in the water environments, is responsible of any in violation performed by the workers, and also responsible of providing the treatment means typical to the standards and specifications that determined by the executing regulation.

### **Article (60)**

With consideration to the rules of law No. (10) dated 1987, indicated above, it is restricted foundation of any projects or establishments on the sea beaches to a distance of 200 meters minimum inside from the coast line, unless agreed by the specialized administrative department, which is subject to coordination with the council, and the executing regulation organized the procedures and conditions, which must be followed in this respect.

### **Article (61)**

With regarding to rules of law No (4) dated 1983. It is restricted for any action that affects the natural flow of the coast, or changing it to penetrate into the sea waters right flow or the line of reflux, unless agreed by the specialized administrative department, by coordination with the Council, and the executing regulation organizes the procedures and conditions, which must be followed in this respect.

#### Fourth chapter

##### Administrative and Judicial procedures

The General Secretariat personnel, who are delegated by a decision issued from the Chairman of the Council, a capacity of judicial arrest commissioners, also this capacity delegated to the other administrative personnel, who are deputed to the Council for this purpose. And that in the crimes evidence, that occur as a violation for the rules of this law and its executing regulation, and decrees supporting it. They must have the authority of search on all places practicing a function affects on environment, to observe the rules of this law and its executing regulation, and have the right at any time to enter all places committed violations for the environmental legislations rules, and writing journals of capturing these violations and take the legal procedures related to them, they have specifically to do the following:

- 1- Entry and inspection of establishments, with considering operation and safety laws for them.
- 2- Apply for reports about functions expected to cause environmental pollution or deterioration.
- 3- Take samples from wastes and used, stored, produced materials from the project to make sure of its engagement of environment protection measures and systems.
- 4- Climb on board ships and sea platforms, and entry of establishments founded at the sea coast and inspect means of oil transport and pollutant materials to the maritime environment to identify their engagement of rules application of this law and its executing regulation, and the issued decrees supporting it, and provide equipments and means of wastes treatment committed by the determined safety and operation conditions and regulations

#### **Article (63)**

In the Case that the wish of the captain of the ship, which committed a violation, is to depart from the port, the judicial arrest commissioners stated in the previous article, has the authority to collect a cash insurance to cover amount of penalties and compensations that may expected to charge with, not less than the minimum limit determined to the violation adding to it all expenses and compensations that estimated by the specialized administrative department to remove the violation.

It is allowed to replace the cash insurance by a bank letter of guarantee or any other guarantee accepted by the specialized administrative department, as allowed by the international law regulations which exist in this field, especially the international agreement rules in respect of civil responsibility about oil pollution damages that signed in (Bruckcell 1969).

#### **Article (64)**

Without contravention to the rules of the previous article, the specialized administrative department has the authority to take legal procedures to lockup any ship, due to failure of its captain to fulfill the payments of instant penalties and compensations determined in case of red-handed or in case of acceleration stated in the previous article.

The retention will be raised, if the entire required amount are paid, or introduce an unconditional financial guarantee.

### **Article (65)**

Any Captain or owner or responsible of a ship that using the Qatari ports, or has the authorization of working in the regional sea or the neighboring area, or the pure economical area of the State, must present to specialized administrative department representatives or the judicial arrest commissioners, who are delegated to apply this law and its regulations, facilities to achieve their mission

## **Chapter 5**

### **Sanctions / punishments**

### **Article (66)**

Without contravention by any maximum sanction stated in the criminal code or any other law, to be punished any one who commits violation of Articles rules stated in this chapter will be charged by the sanctions or punishments indicated in the following, and the punishment will be doubled in case of repeating the violation

### **Article (67)**

Any one who breaches the rules of articles (31), (35), (36 sect) from this law, will be punished by a payment of penalty not less than one thousand Qatar riyal and not to exceed twenty thousand QR.

### **Article (68)**

Anyone who breaks the rules of articles (13, Para 2), (16, Para 1), (18), (32, Para 1), (33), (37), (38), (48), (60), (61), from this law, will be punished by a penalty not less than five thousand QR, and not to exceed fifty thousands QR.

### **Article (69)**

Any one who breaches the rules of articles (27, Para 2), (29), (30), (41), (45, Para), (53), (54), (56), from this law will be punished by a detention period not to exceed one year with a penalty not less than

twenty thousand QR , and not to exceed hundred thousand QR , or by one of the two mentioned punishments

### **Article (70)**

Any one commits a violation of rules of articles (25, Para), (26), (27, Para), (45. Para 2) , ( 51 clause 1, 2) from this law , will be punished by a detention period not less than one year , and not to exceed three years , with a penalty not less than one hundred thousand QR , and not to exceed three hundred thousand Qr , or by one of those punishments .

### **Article (71)**

Any one who breaks the rules of the articles (24) , ( 25 , para 3) , (43 ) , (44) .(51, clause 3) from this law , will be punished by a detention period not less than three years and not to exceed ten years , and by penalty not less than two hundred thousand QR. And not to exceed five hundred thousand QR, or by one of those punishments

### **Article (72)**

Considered as a repeater , in application of the rules of this law , any one who commits a crime typical to a previous crime , which he committed before and punished with one of the punishments determined for its rules violation and that before five years passed from the date of the punishment end, or cancelled by period factor.

### **Article (73)**

The court when charged by conviction is authorized accordingly to close the project or the establishment or deportation of foreigner from the country or seizure of tools and equipments used in the violation, with engaging the breaker to remove the violation and turning the situation back as it is.

### **Article (74)**

If the one who commits the crime, or committed on his behalf, or for his benefit, a moral person, his legal representative in a capacity of partner for the real doer, punished with the punishments stated in this law.

The representative of the moral person, exempted from the punishment, if approved that the crime is committed without his notice, or compulsory,



or to harm him, or he delegated another person to practice his jurisdictions, or perform a reasonable effort to avoid the crime aimlessly.

### **Article (75)**

The owner, captain, operator, responsible of the ship and the principals of the projects, and establishments, are all responsible of all damage rising from committing a violation to the rules of this law, and paying the penalties and compensations that decided, and the expenses of the removal of effects of that violation.