

Decree - Law No 36 for 2004

Establishing the Supreme Council for Communication and Information Technology.

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

Having seen the Amended Provisional Basic Law, in particular Articles 23,27 and 34 thereof, and

Law No. 2 for 1962 regulating the General Financial Policy in Qatar as amended by Decree-Low No 19 for 1996 and

Law No 1970 determining the Ministers Authorities and the Competence of Ministries and other Government Organs and the Laws amending it, and

Law No 13 for 1987 establishing Qatar Public Telecommunication Corporation, and

Law No 5 for 1989 regarding the State General Budget, and

Law No 21 for 1998 transforming Qatar Public Telecommunication Corporation into a joint stock company, and

The civil service Law issued by Law No. (1) For 2001, and

The Emir Decision No 26 for 2002 establishing the Information Technology and Communication Committee, and

The Emir Decision No 19 establishing the steering Committee of the Information Technology and Communication Project, and

The draft – Law presented by the Council of Ministers,

Have decided the following Law:

Chapter (1)

Definitions

Article (1)

In the application of the provisions of this Law, the following words and expressions shall have the meaning here - in assigned to each of them, unless the context otherwise requires:

The Supreme Council: The Supreme Council of Communication and Information Technology.

The Board: The board provided for in article 6 of this Law.

The General Secretariat: The General Secretariat of the Supreme Council.

The Secretary General: The Secretary-General of the Supreme Council.

Communication: The delivery, transmission broadcasting or reception of writing, signals, signs, pictures, sounds or any data or information of any kind by wireline, wireless, optic, electro magnetic or other means of communication.

Communication Network: a system or set of systems used to provide communication services.

Information Technology: The use of Computer application systems including hardware, software, and communication Networks for wireline and wireless communication in the management processing and communication of information.

Chapter (2)

Establishing the Supreme Council, its objects, functions and management.

Article 2

There shall be established a Supreme Council to be named “ The Supreme Council of Communication and Information Technology”, which shall have legal personality , a budget to be annexed to the State General Budget and a democile in Qatar.

Article 3

The object of the Supreme Council is to regulate the two sectors of Communication and Information Technology and the creation of an advanced Information Community by preparing a suitable environment of infrastructure and a community capable of using communication and information technologies.

Article 4

In its capacity as the highest competent authority in the affairs of communication and information technology, the Supreme Council shall have the powers and competence necessary for the discharge of such affairs and in particular the following powers:

- 1- To regulate the two sectors of Communication and Information Technology in the state.
- 2- To develop a strategic national vision for the two sectors of Communication and Information Technology.
- 3- To make policies for the two sectors of communication and information Technology and to link such policies to the Strategic National vision within the frame work of the state general policy and to supervise the implementation of such policies.
- 4- To coordinate all national initiatives aiming to achieve the strategic vision of the state of Qatar in the two sectors of Communication and Information Technology and to supervise the implementation of such initiatives.
- 5- To represent the state in all local, regional and international bodies, organizations, conferences meetings and seminars relating to Communication and Information Technology.
- 6- To create a legal and regulatory environment capable of using the Communication and Information Technology as a change factor leading to social and economic development.
- 7- To encourage the community to use the communication and information technology.

- 8- To contribute to programs and studies relating to the two sectors of Communication and Information Technology by fully or partially financing such programs and studies.
- 9- To follow up evaluate and measure and develop the two sectors of Communication and Information Technology.

Article 5

In order to achieve its objects and exercise its powers and authorities the Supreme Council shall:

- 1- Propose draft Laws and regulations relating to the two sectors of Communication and Information Technology.
- 2- Set the conditions and standards for licensing of Communication and Information Technology services and for use of frequencies.
- 3- Issue licenses for Communication and Information Technology services and for use of frequencies.
- 4- Set standards of performance for different Communication and Information Technology services and monitor compliance of licensed providers of such services with such standards.
- 5- Set the principles and standards for determining tariffs, prices and charges of Communication and Information Technology services offered by licensed providers of such services to customers.
- 6- Encourage investment in services and equipment of Communication and Information Technology and encourage and create a suitable environment for fair and effective competition.

Article 6

The management of the Supreme Council shall be conducted by a board of Directors consisting of the Heir Apparent as chairman, a deputy chairman and several members having knowledge and interest in Communication and Information Technology. The

Board of Directors shall be formed by Emiri Decision which shall appoint its members and determine their remuneration .The Board of Directors shall have a secretary. The Board of Directors shall select the secretary and determine its duties and remuneration.

Article 7

The tenure of membership of the Board of Directors shall be 4 years renewable for a similar period or periods.

Article 8

The Board of Directors shall have the powers and authorities necessary for achieving the Council's objects and in particular the following powers:

- 1- To set the general policies of the Supreme Council and supervise their implementation.
- 2- To approve plans, programs and projects of the Supreme Council and supervise their execution.
- 3- To approve the Organization Structure of the Secretariat - General of the Supreme Council.
- 4- To issue the supreme Council's technical, administrative, financial and staff regulations.
- 5- To approve the Supreme Council's annual budget and final statement of accounts.
- 6- To determine fees and charges of the services offered by the Supreme Council.
- 7- To approve contracts and agreements in which the Supreme Council is a party in accordance with the terms and conditions set in the Supreme Council's regulations.
- 8- To borrow from the government, public or private financial institutions for purposes of achieving its objects.
- 9- To look into periodical and progress reports relating to the Supreme Council's business.

The decisions of the Board of Directors on matters mentioned in paragraphs (3,4,5,6 and 8) shall not come into force until approved by the Emir.

Article 9

The Board shall convene by invitation of the chairman, at least four times per year or as circumstances may require.

The meeting of the Board shall not be valid unless a majority of its members including either the chairman or deputy chairman is present.

The resolutions of the Board shall be carried by the votes of the majority of the of the members present and in the event of a dead lock the chairman shall have a casting vote.

Article 10

Minutes and resolutions of the Board's meetings shall be recorded in a special register with numbered pages and shall be signed by the Chairman and the Secretary.

Article 11

The Board may enlist the help of and invite any of the Supreme Council's staff, any staff from the Government or any expert to attend its meetings without any of them having voting rights.

Article 12

The Board may form permanent or temporary committees from amongst its members or from other persons to study any matters presented to it.

Article 13

The Chairman of the Board shall sign for the Supreme Council, and the Board may delegate to the Secretary-General or any of the Supreme Council's staff power to sign, severally or jointly, in respect of matters specified by the Board.

Article 14

The seal of the Supreme Council have no effect when affixed on any document unless it is coupled with the signature of the Chairman or any person duly authorized to sign.

Article 15

The Chairman of the Board, his deputy any member of the Board or any staff of the Supreme Council shall not have any direct or indirect personal interest in any contract which is made by the Supreme Council or for its account or in any project which is executed by it.

Chapter 3

The Secretariat - General

Article 16

The Supreme Council shall have a Secretariat- General headed by a Secretary- General to be appointed by an Emiri Decision on nomination by the Chairman of the Board.

The Secretary – General shall attend the meetings of the Board but without having voting rights.

Article 17

The Secretariat –General shall be the executive organ of the Supreme Council and shall carry out its business under the supervision of the Board and within the general policy of the Supreme Council. The Secretariat –General shall discharge all the technical, administrative and financial business of the Supreme Council in accordance with internal regulations and within the limits of the approved annual budget.

Article 18

The Organization Structure of the Secretariat– General shall be issued by a decision of the Chairman which shall also determine the authorities of the Secretary – General, the departments of which the Secretariat – General is composed, the authorities of such departments, any amendments to them, by way of addition, cancellation or merger.

Sections within the departments forming the Secretariat – General may be established by a decision of the Chairman which may determine the authorities of such section and may amend them by way of addition, cancellation or merger.

Article 19

The Secretary – General shall represent the Supreme Council before courts and in its relation with others.

Chapter 4

Finance

Article 20

The financial resources of the Supreme Council shall consist of the following :

- 1- Financial funds allocated to it by the Government in the General Budget.
- 2- Monies realized from its activities.
- 3- Loans obtained from others.

Article 21

The Supreme Council shall have an annual estimated budget to be proposed in accordance with the internal regulations and a special account in which its money is deposited.

The fiscal year of the Supreme Council shall commence on the first of April and end on the last day of March of each year. The first fiscal year shall commence as of the date of this Law coming into force and shall end on the last day of March in the next year.

Article 22

The Board shall appoint one or more financial controllers. The financial controller shall, at all times, have the right to see all the Supreme Council's books, records and documents, to order the provision of any information which he may think necessary for

proper discharge of his duties, and to examine the assets and liabilities of the Supreme Council. If the financial Concoller is not able to exercise these rights, he shall report the same to the Emir.

Chapter 5

General Provisions

Article 23

The Board shall submit to the Emir a detailed report of the Supreme Council's activities, projects, progress of work and financial status within not more than 3 months as of the end of the fiscal year, containing the Supreme Councils proposals and recommendation and accompanied with the financial controller's report.

Article 24

The Emir may, at any time, order the Board to submit reports on the administrative, financial and technical status of the Supreme Council or on any aspect of its activities or on any information relating to it. The Emir shall have the right to issue directives to the Supreme Councils on all matters relating to general policy.

Article 25

The Supreme Council may be fully or partially exempted from taxes and fees by a decision of the Emir.

Article 26

The Civil Services Law shall apply to the Supreme Council's employees on any matters not provided for in this law or in the Supreme Council's internal regulations.

Article 27

The Chairman of the Board shall issue the regulations and decisions necessary for the enforcement of this Law, and until such regulations and decisions are issued the current rules and practices shall continue in so far as they are not in conflict with the rules of this Law.

Article 28

All rules conflicting with this Law are hereby repealed.

Article 29

All concerned authorities, each within its field of competence, shall enforce this law which shall come into force on the day of its issuance. This law shall be published in the official Gazette.

Hamad Bin Khalifa Al Thani

Emir of the state of Qatar

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