

## **Law No. [20] of 2019**

**on**

### **Combatting Money Laundering and Terrorism Financing**

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**We, Tamim Bin Hamad Al Thani, Emir of the State of Qatar,**

Having perused the Constitution; and

The Law No. (4) of 1978 on the Control, Assaying and Stamping Precious Metals, amended by Law No.(12) of 1990;

The Law No. (8) of 1996 on Endowment and its amending Laws; and

The Law No. (10) of 2002 on Public Prosecution and its amending Laws; and

The Customs Law issued by Law No. (40) of 2002; and

The Law No. (3) of 2004 on Combating Terrorism, amended by Decree Law No.(11) of 2017; and

The Penal Code issued by Law No. (11) of 2004 and its amending Laws; and

The Law No. (12) of 2004 on Private Associations and Foundations and its amending Laws; and

The Criminal Procedure Code issued by Law No. (23) of 2004, amended by Law No. (24) of 2009; and

The Law No. (30) of 2004 Regulating the Auditing Profession; and

The Decree Law No. (21) of 2006 on Private Foundations for the Public Benefit and its amending Laws; and

The Advocacy Law, issued by Law No. (23) of 2006 and its amending Laws; and

Law No. (4) of 2010 on Combating Money Laundering and Terrorism Financing Law ; and

The Law No. (8) of 2012 of Qatar Financial Markets Authority, amended by Decree Law No. (22) of 2018; and

The Law of Qatar Central Bank and the Regulation of Financial Institutions issued by Law No. (13) of 2012; and

The Law No. (6) of 2014 Regulating Real Estate Development; and

The Law No. (15) of 2014 Regulating Charitable Activities; and  
The Law No. (11) of 2015 Promulgating the Commercial Companies Law; and  
The Law No. (22) of 2017 Regulating Real Estate Brokerage; and  
The Decree No. (130) of 1990 on the Accession to the United Nations Convention against Illicit Traffic in Narcotic Drugs and Psychotropic Substances; and  
The Decree No. (17) of 2007 on the Ratification of the United Nations Convention against Corruption; and  
The Decree No. (10) of 2009 on the Accession to the United Nations Convention against Transnational Organized Crime of 2000; and  
The Decree No. (37) of 2012 on the Ratification of the Arab Convention against Corruption, and  
The Decree No. (20) of 2018 on the Accession to the International Convention for the Suppression of the Financing of Terrorism of 1999; and  
The Decision of the Council of Ministers No. (7) of 2007 on Establishing the National Counter Terrorism Committee.  
The draft Law put forward by the Council of Ministers; and  
After having consulted the Advisory Council (Shura Council),

**Have decreed the following:**

**Article (1)**

The provisions of the Law on Combating Money Laundering and Terrorism Financing, attached hereto, shall come into force and effect.

**Article (2)**

The Council of Ministers shall issue the Implementing Regulations for the attached Law. Until such regulations are issued, the current applicable decisions shall remain in force, provided that they do not contravene with the provisions of the attached Law.

### **Article (3)**

All concerned parties subject to the provisions of the attached Law shall, within six months from the date of this Law coming into effect, make necessary arrangements to comply with its provisions.

Such period may be extended for a similar period (s) by a Decision of the Council of Ministers.

### **Article (4)**

The Law No. (4) of 2010 on Combating Money Laundering and Terrorism Financing, and any provision inconsistent with the provisions of the attached Law, shall be repealed.

### **Article (5)**

All Competent Authorities, each within its own competence, shall implement this Law, which shall come into force on the day following its publication in the Official Gazette.

**Tamim Bin Hamad Al Thani**

**Emir of the State of Qatar**

Issued at the Emiri Diwan on: 12/01/1440 A.H

Corresponding to: 11/09/ 2019 A.D

# Law on Combatting Money Laundering and Terrorism Financing

## Chapter 1: Definitions

### Article (1)

In the application of the provisions of this Law and its Implementing Regulations, the following terms and phrases shall have the meanings assigned thereto, unless the context requires otherwise:

**The Bank:** The Qatar Central Bank.

**The Governor:** The Governor of Qatar Central Bank.

**The Committee:** The National Anti-Money Laundering and Terrorism Financing Committee, stipulated in Article (29) of this Law.

**The Unit:** The Financial Information Unit, stipulated in Article (31) of this Law.

**The Competent Authorities:** Any public authority with specific AML/CFT responsibilities.

**The Supervisory Authorities:** Competent authorities responsible for licensing or supervising financial institutions, Designated Non-Financial Businesses and Professions (DNFBPs) and Non-Profit Organizations (NPOs), or for ensuring compliance thereof with the AML/CFT requirements, as stipulated in the Implementing Regulations.

**The Authority:** The Regulatory Authority for Charitable Activities.

**The Predicate Offence:** Any act constituting a misdemeanour or a felony under any Law in force in the State, whether committed inside or outside the State, whenever it generates funds and is an offence punishable by law in both countries.

**Instrumentalities:** Everything used or intended to be used, in whole or in part, in the commission of any Money Laundering or Terrorism Financing offence.

**Proceeds of crime:** Any funds derived or obtained, directly or indirectly, from committing predicate offences, including the income, interest, revenue or other product, whether or not it has been transferred in whole or in part into properties or investment proceeds.

**Funds:** Assets or property of every kind, whether physical or non-physical, tangible or intangible or movable or immovable, including financial assets and economic resources such as oil and other natural resources, and all related rights, of any value, however acquired, and all legal documents or instruments in any form, including electronic or digital copies, evidencing title to, or share in, such assets and any interest, dividends or other income on or value accruing from or generated by such funds or other assets, which can potentially be used to obtain funds, goods or services.

**Terrorist Act:**

- a) Any act which constitutes a terrorist offence under the Combating Terrorism Law or under international treaties related to terrorism to which the State is a party.
- b) Any other act intended to cause death or serious bodily injury to a person, where such person is not taking an active part in the hostilities in the situation of armed conflict, when the purpose of such act, by its nature or context, is to intimidate a group of people or to compel a government or an international organization to do or abstain from doing a certain act.

**Terrorist:** Any natural person who intentionally commits any of the following acts:

- a) Commits or attempts to commit, terrorist acts, by any means whatsoever, directly or indirectly, unlawfully and wilfully;
- b) Participates as an accomplice in terrorist acts;
- c) Organizes or directs others to commit terrorist acts; or
- d) Contributes to the commission of terrorist acts by a group of persons acting with a common purpose and with the aim of furthering the terrorist act or with the knowledge of the intention of the group to commit a terrorist act.

**Terrorist Entity:** Any group of terrorists that commits intentionally any of the following acts:

- a) Commits, or attempts to commit, terrorist acts by any means, directly or indirectly, unlawfully and wilfully;
- b) Participates as an accomplice in terrorist acts;
- c) Organizes or directs others to commit terrorist acts; or
- d) Contributes to the commission of terrorist acts by a group of persons acting with a common purpose and with the aim of furthering the terrorist act or with the knowledge of the intention of the group to commit a terrorist act.

**Freeze:** Prohibiting the transfer, conversion, disposition, movement, of funds or equipment or other instrumentalities, on the basis of, and for the duration of the validity of, a decision of a competent authority, or until an unfreezing order is issued or the Competent Court issues a confiscation order.

**Seizure:** Prohibition imposed on transfer, conversion, disposition, movement, or transport of funds on the basis of, a decision issued by a judiciary authority or a competent authority, which actively take control of and manage the funds, throughout the duration of the decision.

**Confiscation:** Permanent deprivation of funds by virtue of a judicial ruling.

**Financial Institution:** Any person who conducts, as a business, one or more of the financial activities or operations for or on behalf of a customer, as set forth in the Implementing Regulation.

**Financial group:** A group consisting of a parent company or of any other type of legal persons exercising control, and coordinating functions over the rest of the group, for the application of the group supervision, together with branches and/or subsidiaries that are subject to AML/CFT policies and procedures at the group level.

**DNFBPs:** Designated Non-Financial Businesses and Professions, defined as:

- 1) Real estate agents, whenever they conduct transactions related to the sale and/or purchase of real estate for customers, or both.
- 2) Traders in precious metals or precious stones, whenever they participate with their customers in cash transactions of a value equal to or exceeding the designated threshold set out in the Implementing Regulation.
- 3) Authorized Notaries, lawyers, accountants, and legal accountants, whether sole practitioners, partners or employed professionals within professional firms when they arrange, execute or conduct transactions on behalf of or for their customers in relation to any of the following activities:
  - a) Purchase or sale of real estate.
  - b) Management of the customer's funds, securities or other assets.
  - c) Management of bank accounts, saving accounts or securities accounts.
  - d) Organizing contributions for the establishment, operation or management of companies or other entities.
  - e) Establishment, operation or management of legal persons or legal arrangements, and sale or purchase of business entities.

- 4) Trust and company service providers, when arranging or executing transactions for the customers, including the following activities:
  - a) Acting as a formation agent of legal persons.
  - b) Acting as, or arranging for another person to act as, a director or secretary of a company, a partner of a partnership or a similar position in relation to other legal persons.
  - c) Providing a registered office, place of business, correspondence address or administrative address for a company, a partnership or any other legal person or legal arrangement.
  - d) Acting as, or arranging for another person to act as a trustee for a direct credit fund or performing an equivalent function for another legal arrangement.
  - e) Acting as, or arranging for another person to act as, a nominee shareholder for another person.
- 5) Any other business or profession by virtue of a decision of the Council of Ministers upon the proposal of the Committee.

**Non-Profit Organization (NPO):** Any legal entity or person, legal arrangement or organization, which collects or disburses funds for charitable, religious, cultural, educational, social or fraternal purposes; or for the carrying-out of other types of charitable works for the public benefit.

**Express Trust:** A legal relationship that does not establish a legal personality, created by a written deed, whereby a person places funds under the control of a trustee for the benefit of one or more beneficiaries or for a defined purpose.

**Legal arrangement:** Express trusts or any other similar arrangements.

**Bearer Negotiable Instruments:** Monetary instruments in bearer form, such as travellers cheques and negotiable instruments, including cheques, promissory notes, and money orders that are either in bearer form, endorsed without restriction, made out to a fictitious payee, or otherwise in such form that title thereto passes upon delivery; incomplete instruments including cheques, promissory notes and money orders signed, but with the payee's name omitted.

**Beneficial Owner:** the natural person(s) who ultimately owns or controls a customer and/or the natural person on whose behalf a transaction is being conducted. It also includes those persons who exercise ultimate effective control over a legal person or arrangement.

**Politically exposed persons:** Individuals who are or have been entrusted with prominent public functions by the State; by a foreign State; or by an international organization.

**Shell Bank:** A bank which has no physical presence in the State or territory in which it has been incorporated and licensed; and is unaffiliated with a regulated financial services group that is subject to supervision.

The phrase “Physical Presence” in a country or territory means the existence of an effective management in the country or territory where the bank is established that has the authority to make decisions, and not simply the existence of a local agent or low-level staff.

**Correspondent Banking:** The provision of banking services by a bank (the “correspondent bank”) to another bank (the “respondent bank”).

**Customer:** Any person or legal arrangement receiving a service offered by a Financial Institution or Designated Non-Financial Businesses and Professions.

**Parallel Financial Investigation:** A financial investigation of the financial aspects of a criminal activity, conducted alongside, or in the context of, a criminal investigation into money laundering, terrorism financing and/or predicate offence(s), with a view to:

- a) Determining the extent of criminal networks or the scale of the crime.
- b) Identifying and tracing the proceeds of a crime, terrorist funds or any other assets that may be or shall be subject to confiscation.
- c) Preparing evidences that can be used in criminal proceedings.

**Business Relationship:** Any regular relationship established between a customer and a financial institution or DNFBP, in connection with the services the customer receives.

**International Organizations:** Entities established under official political arrangements between the Member States, which are international treaties that are legally recognized by the Member States, and which are not dealt with as institutional units resident in the States in which they are located.

**Person:** A natural or legal person.

**Legal Person:** Any entity, other than a natural person, which is capable of conducting a permanent business relationship with a financial institution or of gaining ownership of assets. This includes companies, institutions, foundations, or any relevantly similar entity.

**Originator:** The account holder who allows the wire transfer from the account holder's account, or where there is no account, the person that places the order with the ordering financial institution to perform the wire transfer.

**Targeted Financial Sanctions:** Asset freezing and prohibitions to prevent funds or other assets from being made available, directly or indirectly, for the benefit of persons and entities listed in accordance with the Combating Terrorism Law.

**Money or Value Transfer Service:** Financial services that involve the acceptance of cash, cheques, other monetary instruments or other stores of value and the payment of a corresponding sum in cash or other form to a beneficiary by means of a communication, message, transfer, or through a clearing network to which the MVTs provider belongs.

**Risk-based Approach:** Measures and procedures aiming at identifying, assessing, understanding and mitigating the Money Laundering and Terrorism Financing risks.

**Implementing Regulation:** The Implementing Regulation of this Law.

## **Chapter 2: Money Laundering and Terrorism Financing**

### **Article (2)**

Whoever intentionally commits any of the following acts shall be deemed to have committed money laundering offence:

1. Conversion or transfer of funds, knowing that they are proceeds of a crime or an act of participation in the said crime; with a view to concealing or disguising the illicit source of funds or assisting any person involved in the commission of the crime to evade the legal consequences of his actions.
2. Concealment or disguise of the true nature, source, location, disposition, movement, ownership or the rights of funds, knowing that they are the proceeds of a crime.
3. Acquisition, possession or use of funds, knowing, at the time of receipt thereof, that they are proceeds of a crime.
4. Participation in, association with or conspiracy to commit, attempt, or aid, abet, facilitate, counsel in, cooperate in, or contribute to the commission of any of the acts stipulated in this Article.

The Money Laundering crime shall be considered as an independent crime from the predicate offence.

When proving that funds are the proceeds of crime, it shall not be necessary that a person be convicted of a predicate offence

The punishment of the persons committing the predicate offence shall not prevent their punishment for the money laundering crime.

### **Article (3)**

Whoever intentionally, by any means, directly or indirectly, with an unlawful intention provides or collects funds to be used, or while knowing that they are to be used, in whole or in part, in any of the following, shall be deemed to have committed a terrorist financing offence:

1. To carry out a terrorist act(s);
2. By an individual terrorist or by a terrorist organization, even in the absence of a link to a specific terrorist act or acts;
3. To finance the travel of individuals to a State other than their State of residence or nationality, for the purpose of the perpetration, planning, or preparation of, or participation in, terrorist acts or the providing or receiving of terrorist training;
4. To organize or direct others to commit or attempt to commit any of the acts stipulated in this Article.
5. To participate; collude; aid, abet, facilitate, counsel in, cooperate in, conspire to commit or attempt to commit any of the acts stipulated in this Article.

The terrorism financing offence extends to any funds, whether from a legitimate or illegitimate source, regardless of whether the funds were actually used to commit or attempt to commit a terrorist act, or are linked to a specific terrorist act.

The terrorism financing offence shall be deemed to have been committed, irrespective of whether the person charged with committing the offence is present in the same country or where the terrorist or terrorist organization is located or where the terrorist act was committed , or would be committed or in any other State.

The terrorism financing offence shall be considered a predicate offence of money laundering.

#### **Article (4)**

The provisions of Article (46) of the Penal Code shall apply to the offences stipulated in Articles (2) and (3) of this Law.

#### **Article (5)**

The knowledge and intent required to prove money laundering or terrorism financing offences may be inferred from objective factual circumstances.

### **Chapter 3: Preventive Measures**

#### **Article (6)**

Financial institutions and DNFBPs shall identify, consider, understand, assess, document, monitor and update, on a regular basis, their ML/TF risks; and shall submit relevant reports to the Supervisory Authorities, upon request.

Financial institutions and DNFBPs shall consider the risks that may arise from the development of new products, new business practices or new techniques, before use.

Financial Institutions and DNFBPs shall also take into consideration the risks identified at the national level and any other underlying factors.

#### **Article (7)**

Financial institutions and DNFBPs shall adopt a risk-based approach, by developing risk-based internal policies, procedures and controls. Financial institutions and DNFBPs shall effectively implement these policies, procedures and controls to manage the risks identified; including those identified in the National Risk Assessment, and shall mitigate these risks in line with the nature and size of their businesses. Financial institutions and DNFBPs shall, where appropriate, review, update and enhance these policies, procedures and controls.

They shall also apply these internal policies, procedures and controls on all their branches and majority-owned subsidiaries.

The Implementing Regulation shall set forth internal policies, procedures and controls, consistent with the provisions of this Law.

## **Article (8)**

Financial institutions and DNFBPs shall set appropriate systems and apply preventive measures to ensure their compliance with the provisions of this Law regarding the targeted financial sanctions.

## **Article (9)**

Financial institutions and DNFBPs shall be prohibited from opening or keeping anonymous accounts or accounts in obviously fictitious names.

## **Article (10)**

Financial institutions and DNFBPs shall undertake Customer Due Diligence measures when:

1. Establishing the business relationship;
2. Carrying out occasional transactions equal to or greater than the designated threshold set out in the Implementing Regulation, whether the transaction is carried out in a single operation or in several operations that appear to be linked;
3. Carrying out occasional transactions through wire transfers in circumstances stipulated in Article (18) of this Law;
4. There is a suspicion of ML/TF, regardless of the amount of the transaction; or
5. There are doubts about the veracity or adequacy of previously obtained customer identification data.

## **Article (11)**

Financial institutions and DNFBPs, shall take customer due diligence measures, which includes taking procedures to identify their customers, whether permanent or occasional, and verify their identities using reliable, independent source documents, data or information. These procedures shall consist of:

1. Identifying any person acting on behalf of the customer, checking his identity and verifying that he is authorized thereto, pursuant to the relevant applicable rules.
2. Identifying the beneficial owner, and taking reasonable measures to verify his identity, using reliable, independent source documents, data or information until they are satisfied that they know who the beneficial owner is.

3. Obtaining information on, and understanding, the purpose and nature of the business relationship or the transaction.
4. For customers that are legal persons or legal arrangements, identifying the nature of the customer's business, his ownership and control structure, and the beneficial owner.

When financial institutions and DNFBPs are unable to comply with these measures or when they discover that the customers' data obtained is obviously fictitious or inadequate, they shall not open a bank account, initiate or maintain a business relationship, or carry out any transaction; and shall, when necessary, report to the Unit any suspicious transactions related to the customer.

The Implementing Regulation shall set forth the required CDD measures to be taken, including standards related to the identification and verification of beneficial owners.

#### **Article (12)**

Financial institutions or DNFBPs may rely on third parties to perform CDD measures stipulated in Article (11) of this Law, including the identification of the customer and the beneficial owner, understanding the nature of the business or introducing business.

In such cases, the financial institutions or DNFBPs shall be ultimately responsible for compliance with the implementation of the CDD measures stipulated in this Law.

The Implementing Regulation shall set forth the reliance conditions on third parties.

#### **Article (13)**

Financial institutions and DNFBPs shall apply enhanced due diligence (EDD), proportionate to the risks, to business relationships and transactions performed with natural or legal persons—including financial institutions from countries identified by the Committee as high-risk countries.

Financial institutions and DNFBPs shall apply any other measures required by the supervisory authorities, upon the proposal of the Committee, regarding high-risk countries.

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

Financial institutions and DNFBPs shall ensure that documents, data and information related to the CDD processes are kept up-to-date and relevant on an

ongoing basis, by undertaking reviews of existing records, particularly for high-risk categories of customers. They shall also consistently scrutinize and examine transactions undertaken by customers to ensure that they are consistent with their knowledge of their customers, their businesses and their risk profile, including where necessary, the source of their funds.

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

Financial institutions and DNFBPs shall perform CDD measures proportionate to the level of risks involving the customers, their businesses and their transactions, and shall perform EDD where the ML/TF risks are higher.

Financial institutions and DNFBPs may apply simplified CDD measures where lower risks have been identified through the National Risk Assessment, and their own risk assessments. The simplified measures shall be commensurate with the lower risk factors, but are not acceptable whenever there is suspicion of ML/TF, or specific higher risk scenarios.

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

Financial institutions and DNFBPs shall put in place appropriate risk management systems to determine whether a customer or beneficial owner of a customer is a Politically Exposed Person (PEP), a family member of a PEP, or a close associate of a PEP. Once determined, financial institutions and DNFBPs shall take additional relevant due diligence measures.

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

Financial institutions are prohibited from entering into, or continuing, correspondent relationships or any similar relationships with shell banks.

Before establishing a cross-border correspondent relationship or any other similar relationships, financial institutions shall take appropriate measures to mitigate risks that may result from this relationship, including by ensuring that the respondent financial institution does not permit its accounts to be used by shell banks.

The Implementing Regulation shall set forth the implementation measures of these provisions.

#### **Article (18)**

Financial institutions, when carrying out wire transfers of a value exceeding the amount determined by the Implementing Regulation, shall obtain accurate information concerning the originator and the beneficiary, and shall ensure that

such information is attached to the transfer orders or the relevant messages throughout the payment chain. The ordering financial institution shall not execute the wire transfer if it does not obtain such information.

In case the financial institution that carried out the wire transfer controls both the originator and the beneficiary of a wire transfer, it shall take into account all the information obtained from both sides, to determine whether a suspicious transaction report has to be filed. The financial institution shall file a suspicious transaction report in any country affected by the suspicious wire transfer and provide relevant supporting transaction information; and shall make such information available to the Financial Intelligence Units in other countries affected by the wire transfer.

It is prohibited to carry out wire transfers with persons and entities listed in accordance with the obligations stipulated in the resolutions of the UN Security Council.

The Implementing Regulation shall define the measures that financial institutions shall undertake to comply with the provisions of this Article.

#### **Article (19)**

Money or value transfer services providers shall be licensed by the Bank. The Bank shall supervise money or value transfer services providers, and shall apply the appropriate punitive measures against unlicensed providers of such services and ensure their compliance with AML/CFT measures.

The Implementing Regulation shall set forth the implementation measures of this Article.

#### **Article (20)**

Financial institutions and DNFBPs shall maintain all records, documents and data for all domestic and international transactions and operations, for a minimum of ten (10) years from the date of concluding the transaction or operation.

Financial institutions and DNFBPs shall also maintain all records, documents and data obtained or collected while performing due diligence measures, as well as account files, business correspondence and results of any conducted analysis for a minimum of ten (10) years after the business relationship has ended or after conducting the transaction or the occasional operation.

Operations records should be sufficient to permit reconstruction and reorganization of individual operations so as to conduct data analysis and provide, if necessary, evidence for prosecution of criminal activity.

Financial institutions and DNFBPs shall, upon request of the competent authorities, make available without delay all information obtained during the due diligence process, and all transactions, operations records and documents maintained.

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

Financial institutions and DNFBPs shall promptly report to the Unit any information concerning any transaction or operation, including attempted transactions and operations, regardless of the value thereof, when there is a suspicion or reasonable grounds to suspect that such transactions and operations are associated with, or involve proceeds of a predicate offence or may be used in terrorism financing.

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

Financial institutions, DNFBPs and their directors, officers and employees are protected from both criminal and civil liability for breach of any restriction on disclosure of information imposed by law or regulation or by administrative order or contract, if they report their suspicions in good faith. This protection shall be available even if they did not know precisely what the underlying predicate offence was, and regardless whether it actually occurred.

Financial institutions, DNFBPs and their directors, officers and employees shall be prohibited from disclosing to any unauthorized person whether or not a suspicious transaction report, or any other relevant information, has been filed with the Unit. These provisions shall not be intended to inhibit information sharing with foreign branches and majority-owned subsidiaries.

In cases where financial institutions and DNFBPs have a suspicion of money laundering or terrorism financing and have reasonable grounds to believe that performing the CDD measures will tip-off the customer, they shall not pursue the CDD measures, and shall instead file a suspicious transaction report with the Unit.

### **Chapter 4: Declaration to Customs**

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

Any person entering into or exiting the State, having in possession currencies, bearer negotiable instruments, or precious metals or stones; or arranging for

transportation thereof into or outside the State, whether through a person, cargo, mail or any other means, shall make a truthful declaration of its value to the customs officers, when that value is equal to or exceeds the threshold set out in the Implementing Regulation.

The Implementing Regulation shall set forth the powers of the customs authorities in implementing the provisions of this chapter.

#### **Article (24)**

The customs authorities shall monitor persons entering or exiting the country, and may seize all currencies, bearer negotiable instruments, or precious metals or stones transported into or outside the State by any means, when the carrier submits a false declaration or has failed to declare.

The customs authorities may require the carrier to provide additional information on the origin of the currencies, bearer negotiable instruments, or precious metals or stones and their intended use and the purpose of their transportation.

When customs authorities seize currencies, bearer negotiable instruments, or precious metals or stones, they shall draft an incident report and may arrest the persons involved in the transportation of the items. If they make an arrest, customs authorities shall immediately refer the items seized and the involved persons to the competent security department within the Ministry of Interior and refer the incident report and the seized items to the Public Prosecution to take the relevant necessary procedures.

#### **Article (25)**

When the competent customs officer suspects that the transportation of currencies, bearer negotiable instruments, or precious metals or stones is related to ML, TF or predicate offences, the customs officer shall:

1. Seize the currencies, bearer negotiable instruments, or precious metals or stones for a period not exceeding three (3) business days.
2. Collect enough information on the transportation of the currencies, bearer negotiable instruments, or precious metals or stones and other related information, and refer the case to the Public Prosecution, where there are evidentiary reasons for suspicion.

#### **Article (26)**

The customs authorities shall cooperate with the competent authorities in the State, by making available to the Unit and to the competent authorities, the

information collected or received while carrying out the duties set forth in the provisions of this Law.

#### **Article (27)**

The customs officers, assigned by a decision as judicial commissioners, shall identify and prove the offences committed in violation of the provisions of this Law, falling within their competencies.

#### **Article (28)**

Customs officers shall maintain the confidentiality of the information obtained within the scope of their work even after the end of their employment. Such information may only be used for the purposes provided for in this Law.

### **Chapter 5: The National Anti-Money Laundering and Terrorism Financing Committee**

#### **Article (29)**

A committee named “The National Anti-Money Laundering and Terrorism Financing Committee” shall be formed at the Bank and shall be chaired by the Deputy Governor with the membership of:

1. Two representatives of the Ministry of Interior, one of them shall be chosen among the directors of the Ministry’s competent departments and to be appointed Vice-Chairman of the Committee.
2. Representative of the Ministry of Foreign Affairs.
3. Representative of the Ministry of Justice.
4. Representative of the Ministry of Commerce and Industry.
5. Representative of the Public Prosecution.
6. Representative of the State Audit Bureau.
7. Representative of the Qatar Central Bank.
8. Representative of the State Security Bureau.
9. Representative of the General Secretariat of the Council of Ministers.
10. Representative of the Qatar Financial Markets Authority.
11. Representative of the General Authority of Customs.

12. Representative of the General Tax Authority.
13. Representative of the Qatar Financial Centre Regulatory Authority.
14. General Director of the Regulatory Authority for Charitable Activities.
15. Head of the Unit.

Each authority shall nominate its own representative, provided that their grade shall not be lower than Director of Department or equivalent. The Chairman and Vice-Chairman of the Committee and the members shall be appointed by a decision of the Prime Minister who may also appoint other representatives from other authorities, upon the proposal of the Committee.

The Committee shall have a secretariat and a number of employees from the Bank who shall be appointed in accordance with the enforceable procedures and regulations at the Bank to perform secretarial tasks, and a liaison coordinator for each authority represented in the Committee, provided that his financial grade shall not be lower than the Sixth Grade. The remuneration of the coordinators shall be determined by a decision of the Governor, upon the proposal of the Chairman of the Committee.

The Committee shall establish a working system that includes the rules required to exercise its mandates.

### **Article (30)**

The Committee shall have the following powers:

1. Prepare, supervise the carrying out of, document the results of, circulate and update the National Risk Assessment of money laundering, terrorism financing, and the financing of the proliferation of weapons of mass destruction. The competent authorities shall commit to provide the Committee with the requested data and information, and shall collaborate in finalizing the National Risk Assessment and in implementing the relevant outputs.
2. Develop and follow up the implementation of a National Strategy to combat money laundering, terrorism financing, and the financing of the proliferation of weapons of mass destruction in the State, based on the outputs of the National Risk Assessment and in accordance with the international standards.
3. Ensure proper interagency coordination, cooperation and information exchange at both policymaking and operational levels; develop and

implement actions to combat money laundering, terrorism financing, and the financing of the proliferation of weapons of mass destruction, taking into account their consistency with personal data protection measures, and other similar provisions.

4. Examine and follow up international developments in the AML/CFT field and the financing of the proliferation of weapons of mass destruction, make recommendations to the competent authorities about the development of its issued regulations and controls, and propose legislative amendments in line with these developments.
5. Represent the State in regional and international meetings and conferences related to anti-money laundering and combating terrorism financing.
6. Coordinate with the National Counter Terrorism Committee in all matters pertaining to the international, regional and bilateral agreements related to CFT.
7. Coordinate with the Administrative Control and Transparency Authority in implementing the United Nations Convention against Corruption.
8. Collect, compile, analyse and request data and statistics related to AML/CFT from all national competent authorities, whether represented in the Committee or not, for use in the National Risk Assessment, National AML/CFT Strategy or for other purposes related to its mandates.
9. Coordinate and host national training programs aimed at combatting money laundering and terrorism financing.

The Committee shall prepare and submit an annual report to the Governor on the extent to which the State meets its obligations regarding AML/CFT, and the challenges it faces. The Governor shall include his feedback and recommendations in the annual report and submit it to the Council of Ministers to be subsequently submitted to His Highness the Emir. A National Training Center shall be established at the Committee to build the capacities of the individuals in the AML/CFT field.

## **Chapter 6: Financial Information Unit**

### **Article (31)**

The “Financial Information Unit” shall be an independent agency, with a legal personality and a budget affiliated to the State’s public budget. It shall be headquartered in Doha.

The Head of the Unit shall be appointed by a decision of the Governor. Sufficient number of employees, experts and individuals specialized in the implementation of the provisions of this Law shall be appointed in the Unit.

The Unit shall be operationally independent and have autonomous decisions pursuant to the provisions of this Law and its Implementing Regulations.

### **Article (32)**

The Unit shall serve as the national centre responsible for receiving and analysing Suspicious Transaction Reports from financial institutions and DNFBPs, as well as any other information related to money laundering, associated predicate offences, and terrorism financing, and for disseminating, spontaneously or upon request, the results of that analysis to competent authorities.

The Unit shall identify the reports that financial institutions and DNFBPs must submit to the Unit, as well as the data they must provide; set the reporting intervals; and create forms and procedures for reporting. These reports shall include, at minimum, reports of suspicious transactions. .

The Unit may require that financial institutions and DNFBPs submit additional information within the time limits set and the form specified by the Unit, when such information is necessary to the Unit’s own analysis. In case of failure by the financial institutions or the DNFBPs to abide by the obligations provided for in this Law, the Unit shall notify the concerned supervisory authority.

The Unit shall have access to the widest possible range of financial, administrative and law enforcement information collected and/or maintained by the competent authorities, or on behalf of other authorities, that it requires to properly perform its functions.

The Unit’s request to obtain this information shall not be denied under the pretext of confidentiality; and no measures shall be taken against those providing this information to the Unit.

The Implementing Regulation shall set forth the implementation measures of this Article.

### **Article (33)**

The Unit shall maintain a database of any financial data and information collected or made available thereto for analysis, and shall have rules in place governing the security and confidentiality of information, throughout processing or dissemination. The Unit shall ensure that there is limited access to its facilities and information technology systems, and to any available financial data and information.

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

The Unit shall analyse and review suspicious reports and information it may receive to identify suspicious cases of money laundering, terrorism financing and predicate offences, and identify related trends and patterns. The Unit shall examine the competent authorities' requests to obtain or analyze the information collected, and shall take the relevant action, as it may deem necessary.

The Unit shall report to the Public Prosecution the results of its review and analysis when there are grounds to suspect that money laundering, associated predicate offences and terrorism financing acts have been committed.

Dedicated, secure and protected channels shall be used to disseminate information and suspicious transactions reports to the Public Prosecution or the relevant competent authorities.

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

The Unit may request financial institutions and DNFBPs to defer the processing of suspicious transactions related to money laundering or terrorism financing for a period not exceeding forty-eight (48) hours.

The Unit may request the Public Prosecutor to freeze any suspected proceeds of money laundering, associated predicate offences, and terrorism financing.

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

The Unit's employees shall at all times maintain the confidentiality of any data or information obtained or accessed within the scope of their duties, and even after the cessation of those duties. Such data or information may only be used for the purposes provided for in this Law.

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

The Unit, in coordination with the supervisory authorities, shall issue instructions and guidance to financial institutions and DNFBPs on the implementation of, and compliance with, their AML/CFT requirements and all matters related to reporting suspicious transactions.

### **Article (38)**

The Unit shall prepare an annual report describing its activities in the anti-money laundering and terrorism financing field, and providing an overall analysis and assessment of the suspicious transactions reports received and the ML/TF trends. The report shall be submitted to the Governor and to the Committee.

## **Chapter 7: Supervisory Authorities**

### **Article (39)**

Supervisory authorities shall have the power to supervise, follow up, monitor, and ensure compliance by financial institutions, DNFBPs, and NPOs with AML/CFT requirements. The Implementation Regulation shall identify the concerned supervisory authorities, the sectors or the professions and businesses under their supervision.

### **Article (40)**

Financial institutions, DNFBPs and NPOs are prohibited from carrying out their activities in the State without prior registration and licensing from the competent supervisory authorities.

The supervisory authorities shall not approve the establishment of shell banks, and shall revoke any valid licenses of financial institutions representing shell banks, and immediately inform the competent authorities if they discover a shell bank operating in the State.

The supervisory authority, when considering the licencing or registration request, or the renewal thereof, shall verify the identity of the shareholders of the applicant entity, the key management, the beneficial owners, and shall take the necessary measures and procedures to prevent criminals or their associates from holding a significant or controlling interest, or holding a management function therein.

### **Article (41)**

Confidentiality provisions stipulated in laws shall not prevent supervisory authorities from accessing any information held by the supervised entities and that are deemed necessary for the performance of their duties. Access to such

information shall not require prior consent or authorization from any judicial authority.

#### **Article (42)**

Supervisory authorities may identify, through their supervisory instructions and controls, the circumstances in which the verification of identity can be completed at a later stage, provided that:

1. this occurs as soon as practicable;
2. this is essential not to interrupt the normal conduct of business; and
3. the ML/TF risks are minimal and effectively managed.

#### **Article (43)**

The Authority shall have policies and measures in place to ensure accountability and integrity of the NPOs and protect them from being exploited for terrorism financing purposes. To that end, the Authority shall exercise all the powers conferred upon the supervisory authorities by virtue of this Law.

NPOs shall keep all information and records for a minimum of ten (10) years, and shall facilitate the access of the Authority to any requested information, within the time limits set and the form specified.

All authorities engaged in NPOs' activities shall make available any information that the Authority may request.

The Authority shall identify, understand and assess the risks of the NPO sector, and shall apply a risk-based approach to mitigate the risks identified in order to promote public confidence in NPOs.

#### **Article (44)**

Without prejudice to a more severe penalty stipulated in any other law, and in case it is evidenced that any financial institution, DNFBP, or NPO, or any of the directors, board members, executives or management thereof, has violated the provisions of this Law, the Implementing Regulation, or any AML/CFT decisions or directives, the supervisory authorities may impose one or more of the following measures:

1. Sending written warnings.
2. Ordering regular reports on the measures taken.
3. Ordering compliance with specific instructions.

4. Imposing a financial penalty of no less than (QR 25.000) twenty five thousand Qatari Riyals, and no more than (QR 100.000) one hundred thousand Qatari Riyals per violation per day, on the financial institution or the DNFBP after being notified.
5. Imposing a financial penalty of no more than (QR 100.000.000) one hundred million Qatari Riyals on the violating financial institution or the DNFBP.
6. Imposing a financial penalty of no more than (QR1.000.000) one million Qatari Riyals on any of the directors, board members, executives or management of a supervised entity.
7. Restricting the powers of the directors, board members, executives, or management, in addition to appointing a special administrative supervisor, or subjecting the financial institution, DNFBP, or NPO to direct control.
8. Prohibiting the perpetrator from working in the relevant sectors, either temporarily or permanently.
9. Suspending, dismissing or replacing directors, board members, executives, management, trustees of trusts, or trustees of NPOs, either temporarily or permanently.
10. Imposing suspension of the license, restricting any other type of permit, and prohibiting the continuation of work, the profession or the activity, or barring the name from the relevant registry.
11. Revoking and withdrawing licenses and registrations.

The decisions referred to may be appealed in accordance with the controls, procedures and timelines set forth in the Implementing Regulation.

Referral to Public Prosecution to initiate investigations may take place, provided that the supervisory authority finds that there are reasonable grounds to suspect that a crime has been committed.

The supervisory authorities shall inform the Unit of the measures taken pursuant to the provisions of this Article.

## **Chapter 8: Transparency of Legal Persons and Legal Arrangements**

### **Article (45)**

The competent authorities responsible for approving the establishment of legal persons and arrangements shall obtain and maintain complete, accurate, and current basic and beneficial ownership information on every legal person and legal arrangement established in the State. They shall make basic information

available to the public; and beneficial ownership information available to law enforcement agencies, judicial authorities, supervisory authorities, financial institutions and DNFPBs, upon request.

Such competent authorities shall issue regulatory decisions identifying the information to be collected for each type of legal persons and arrangements.

Legal persons and legal arrangements shall maintain a complete, accurate, and current register of their basic information, beneficial owners, and shareholders or members, containing the number of shares held by each shareholder and categories of shares, including the nature of the associated voting rights.

Legal entities that are publicly traded on an approved stock exchange, as specified by the supervisory authority, are excluded from this requirement.

Legal persons and legal arrangements established in the State shall appoint at least one natural person, residing in the State who shall be authorized to, and responsible for providing all required basic and beneficial ownership information from the legal persons and arrangements, and for providing assistance, when requested.

#### **Article (46)**

No legal person established in the State shall issue bearer shares.

Nominee shareholders and nominee directors must identify their nominator to the legal person of which they are a shareholder or director and to the concerned supervisory authority.

If the nominator is a legal person, nominee shareholders and directors must identify all beneficial owner/s of the nominator.

#### **Article (47)**

The competent authority must promptly share information with foreign counterparts with regard to basic and beneficial ownership information regarding legal persons and legal arrangements, including:

1. As necessary, facilitating the timely access of foreign competent authorities to any basic and beneficial ownership information collected by the State and not made publicly available.
2. Exchange of information on shareholders.
3. Use inquiry and investigation powers to obtain information on the beneficial owners on behalf of the foreign counterpart authorities.

#### **Article (48)**

All legal persons, legal arrangements, financial institutions and DNFBPs, subject to the provisions of this Law, shall maintain information and records required under this Chapter for at least ten years, as appropriate:

1. As of the date on which the legal person or legal arrangement is dissolved or otherwise ceases to exist;
2. As of the date on which the legal person or legal arrangement ceases to be a customer of a financial institution or any DNFBP.

The competent authorities shall issue directives and circulars for the implementation of the provisions of this Law.

## **Chapter 9: Investigation and Provisional Measures**

### **Article (49)**

The Public Prosecution has the power to investigate, charge and initiate proceedings, and shall take all necessary actions and measures related thereto in accordance with the Criminal Procedure Code, consistent with the provisions of this Chapter. The Public Prosecution may order parallel financial inquiries or investigations to identify the financial aspects of the criminal activity, whether associated with investigations in predicate offences or carried out independently of the predicate offences.

### **Article (50)**

The Public Prosecution shall, according to the applicable laws, order the use of special investigative techniques for the investigation of money laundering, terrorism financing and predicate offences, including:

1. Undercover operations.
2. Audio-video supervision.
3. Accessing computer systems.
4. Intercepting communications.
5. Controlled delivery.

### **Article (51)**

The Public Prosecution, shall during investigation, and the judicial commissioners, during the course of inquiries and evidence collection, promptly identify, trace and seize or freeze the proceeds and instrumentalities of crime, and

the funds that are subject or that may be subject to confiscation, whether or not they have been transferred into other funds.

Other competent authorities shall, each within its own competency, initiate inquiries into the financial aspects of the criminal activity and disseminate the findings of such inquiries to the authorities concerned with gathering evidence and conducting investigations.

#### **Article (52)**

The Public Prosecution, during the course of investigation of money laundering, terrorism financing and predicate offences, may request suspicious activity reports and other information held by the Unit. The decision to conduct an analysis and the provision of such information shall be subject to the discretion of the Unit.

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

The Public Prosecution may issue an order to financial institutions, DNFBPs, or any other person, to access or obtain, immediately upon request, any records they maintain, and any information or data on any accounts, deposits, trusts, or other funds or transactions that may help in detecting the facts of any potential money laundering, terrorism financing, or any predicate offence, or identifying and tracing the proceeds of such offence.

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

It is prohibited to disclose any information related to a request of the Public Prosecution to provide information in the course of investigations into money laundering, terrorism financing and predicate offences; or related to the implementation procedures thereof, except sharing the information with directors, executives, or employees to obtain advice or identify the necessary steps to implement this request.

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

The Public Prosecution may issue a written order to seize all types of letters, emails, printed materials, postal boxes and telegrams, that may help in the detection of any potential money laundering, terrorism financing crimes or any predicate offence.

In all cases, the seizure order shall be for a period not exceeding thirty (30) days, renewable for a similar period or periods if the order is justified.

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

Without prejudice to the authorities of the Public Prosecutor, in cases where there is a concern about the disposal of proceeds held at financial institutions, or where there is suspicion that funds, balances or accounts are being used in terrorism financing, the Governor may issue an order to freeze such proceeds, funds, balances or accounts for a period not exceeding ten (10) business days. The Public Prosecutor shall be notified of such an order within three (3) business days of its issuance, otherwise it shall be deemed null and void.

In all cases, every party concerned may appeal against the freezing order or the renewal thereof before the competent court within thirty (30) days from the date of knowledge thereof.

#### **Article (57)**

Without prejudice to the rights of other *bona fide* parties, the Public Prosecutor may impose provisional measures such as freezing or seizing, where there is a reasonable basis to believe that doing so is necessary to prevent any disposal of funds and instrumentalities related to a predicate offence, money laundering or terrorism financing, or any properties of corresponding value.

The competent court may at any time modify or lift these measures, upon the request of the Public Prosecutor, the suspected persons, or persons claiming their rights to the said funds or properties. The Public Prosecutor may cancel or amend the freezing order, unless it is issued by the Court.

## **Chapter 10: International Cooperation**

### **SECTION ONE: GENERAL PRINCIPLES**

#### **Article (58)**

The competent authorities shall, spontaneously or upon request, provide the widest range of cooperation to foreign counterpart authorities in relation to money laundering, associated predicate offences and terrorism financing, according to the rules of bilateral or multilateral agreements that the State is party thereto, and when necessary, pursuant to the enforceable laws or the arrangements or MOUs signed with their foreign counterparts, or subject to the principle of reciprocity consistent with the fundamental principles of the State's legal system.

The international cooperation shall consist of mutual legal assistance, extradition, and other forms of cooperation.

#### **Article (59)**

International cooperation requests shall not be denied on the grounds that:

1. The request related to combating money laundering, predicate offence and terrorism financing is considered to involve fiscal matters.
2. Laws require financial institutions or DNFBPs to maintain secrecy or confidentiality, except the lawyers' commitment to maintain professional secrecy in the course of performing their task of defending a client in judicial proceedings.
3. There is an inquiry, investigation or proceeding underway, unless the cooperation request would impede that inquiry, investigation or proceeding, the response to the request shall be postponed until the completion of the inquiry, investigation or proceeding.
4. The nature or status of the requesting foreign counterpart authority is different from the competent authority in the State.

#### **Article (60)**

Competent Authorities may request additional information from foreign competent authorities, in case such information is necessary to implement the request or facilitate implementation thereof.

If the cooperation request is denied or postponed, the competent authority shall promptly inform the requesting foreign country of the reasons for denial or postponement.

#### **Article (61)**

Competent authorities shall maintain appropriate confidentiality of any request for cooperation and information exchange with foreign counterpart authorities, consistent with both parties' obligations concerning privacy and personal data protection. Competent authorities shall ensure that foreign competent authorities are able to maintain confidentiality of exchanged information, and shall protect the information obtained in accordance with clear procedures and in the same manner as they would protect similar information received from domestic sources.

Competent authorities may refuse to provide or exchange information if the requesting foreign competent authority cannot protect the information effectively.

#### **Article (62)**

Competent Authorities shall use the information exchanged through international cooperation, only for the purpose for which the information was provided, unless prior authorisation has been given by the requested foreign competent authority.

Competent authorities shall provide feedback in a timely manner to the foreign competent authorities from which they have received assistance, on the use of the information obtained and the related implications.

## SECTION TWO: MUTUAL LEGAL ASSISTANCE

### **Article (63)**

Requests for mutual legal assistance from foreign competent authorities shall be submitted to the Public Prosecutor by diplomatic means.

In case of urgency, requests may be submitted directly to the Public Prosecutor at the demand of the requesting State. A court of the State or the Public Prosecution may, each within its own competency, seek legal assistance from foreign competent authorities. Requests shall be sent by diplomatic means.

### **Article (64)**

A request for mutual legal assistance shall include:

1. The identity of the foreign competent authority that requested mutual legal assistance.
2. The facts underlying the charge or investigation.
3. The legal texts applicable to the acts that are the subject of the request.
4. The procedures or measures to be taken, or investigations to be conducted.
5. Any details that may verify the identity of the person in question, in particular his name, marital status, nationality, address and occupation.
6. Any information necessary for identifying and tracing funds, proceeds and related instrumentalities of crime, used or intended to be used.
7. The provisional measures requested by the requesting State.

If the request relates to the issuance of a confiscation order, the request shall also include a statement of the relevant facts and arguments in order for the judicial authorities to be able to issue a confiscation order.

If the request relates to the execution of an order related to a provisional measure or a confiscation, it shall include:

1. A certified copy of the order and a statement of the reasons for its issuance, if not included in the same order.
2. A document proving that the order is enforceable and not subject to appeal through ordinary appeal.
3. A statement of the extent to which the order is to be enforced and the value sought from the funds.
4. Any information regarding third parties' rights in proceeds, funds and instrumentalities of crime.

### **Article (65)**

A request for mutual legal assistance may be denied for any of the following cases:

1. The request is not issued by a competent authority in accordance with the law of the requesting State; is not transmitted in accordance with applicable laws; its content is not enforceable under the laws of the State, or is in substantial non-conformity with the conditions of requests for mutual legal assistance.
2. The execution of the request is likely to prejudice security, sovereignty, public order or fundamental interests of the State.
3. The offence to which the request relates is subject to criminal proceedings and has already been settled by a final judgment in the State.
4. There are substantial grounds to believe that the measure or the request being sought is directed at the person in question solely on the account of that person's race, religion, nationality, ethnic origin, political opinions, gender, or status.
5. If the measures requested cannot be ordered or executed by reason of the statute of limitation applicable to money laundering, predicate offences, or terrorism financing under the laws of the State or the laws of the requesting State.
6. If the decision rendered in the requesting State was issued without adequate safeguards with respect to the rights of the defendant.

### **Article (66)**

The Public Prosecution shall provide the widest possible range of mutual legal assistance, within reasonable timelines, in relation to investigations of money laundering, terrorism financing and predicate offences, irrespective of the penalty applied.

Where mutual legal assistance requests do not involve coercive actions, dual criminality shall not be a condition for rendering assistance. In case the request involves the execution of coercive actions, the condition of dual criminality shall be deemed satisfied if both States criminalise the same conduct underlying the offence, regardless of its type, description or category.

If dual criminality is not met, coercive actions may be implemented only upon explicit agreement of the defendant.

#### **Article (67)**

The Public Prosecution shall use its investigative powers, by virtue of the enforceable laws and the provisions of Chapter (9) of this Law, when responding to mutual legal assistance requests for purposes related to investigations of money laundering, terrorism financing, or predicate offences, or to freezing and confiscation.

The request or the measure, shall be implemented in accordance with the form specified in the enforceable laws or as requested by the foreign authority, in consistency with the fundamental principles of the State's legal system.

#### **Article (68)**

The Public Prosecutor, upon receiving a mutual legal assistance request to execute a confiscation order issued by the court of the requesting State, shall refer the request to the competent court to issue a confiscation order and execute it.

The confiscation order shall be applied to the proceeds of a predicate offence, laundered funds, funds intended for use in terrorism financing, instrumentalities used or intended for use, and any funds of corresponding value. The competent court, upon approval and execution of the confiscation order, shall be bound by the facts in the order.

The Office for Seizure and Confiscation at the Public Prosecution shall manage and dispose of confiscated funds in accordance with the procedures stipulated in this Law, unless otherwise agreed with the requesting State.

### **SECTION THREE: EXTRADITION**

#### **Article (69)**

The Public Prosecutor shall send and receive all extradition requests to and from foreign competent authorities by diplomatic means.

In urgent cases, extradition requests may be received or sent directly or via the International Criminal Police Organization (INTERPOL) by mail or any other written means with proofs of receipt and delivery or equivalent, in order for the State to verify the authenticity of the requests.

#### **Article (70)**

The money laundering and terrorism financing crimes shall be extraditable offences; and shall not, for the purposes of this Law, be classified as political crimes, or associated with political crimes, or politically-motivated crimes.

The extradition request shall be executed without undue delay according to the conditions and procedures stipulated in the Criminal Procedure Code, consistent with the provisions of this Chapter.

In order to execute an extradition request, according to the provisions of this Law, the laws of the requesting State and the Qatari laws must criminalise the offence that is the subject of the extradition request. The requirement of dual criminality shall be deemed satisfied provided that both countries criminalise the conduct underlying the offence, regardless of its description, type, or category, consistent with the relevant provisions stipulated in the Criminal Procedure Code.

Extraditions shall not be granted if there are substantial grounds to believe that the person sought for extradition has been or would be subjected to torture or cruel, inhuman or degrading treatment, or in case no minimum level of safeguards is provided or will likely be provided, for such person in criminal proceedings, in accordance with relevant international standards.

#### **Article (71)**

If the extradition request is denied solely because the person sought for extradition is a Qatari citizen, the Public Prosecution shall, without delay, proceed with the criminal proceedings against the person regarding the offences underlying the extradition request.

#### **Article (72)**

Extradition for ML/TF offences may be executed on receipt of a provisional warrant of arrest from the requesting State, provided that the person sought for extradition explicitly agrees to the extradition before the competent authority.

### SECTION FOUR: OTHER FORMS OF COOPERATION

#### **Article (73)**

Competent authorities shall be able to conduct inquiries on behalf of foreign counterparts, and to exchange all information that would be obtainable by them.

The Implementing Regulation shall set forth the powers of the competent authorities regarding requests for information exchange.

#### **Article (74)**

Competent authorities may establish bilateral or multilateral agreements and arrangements with one or more States, to form joint intelligence or investigative teams and conduct cooperative inquiries and investigations. In the event where there are no such agreements or arrangements, inquiries and investigations shall be conducted on a case-by-case basis.

## **Chapter 11: Penalties**

#### **Article (75)**

Without prejudice to a more severe penalty prescribed under any other law, the penalties provided for in this Chapter shall apply to the offences set forth therein.

#### **Article (76)**

Money laundering and terrorism financing crimes shall not be subject to the provisions of Article (85) of the Penal Code.

#### **Article (77)**

A legal person, on whose behalf or for whose benefit any of the crimes stipulated in this Law has been committed by any natural person, acting either individually or as part of an entity of the legal person, or serves in a leading position therein, or represents the legal person, or is authorized to take decisions or exercise control on behalf of the legal person, and acts in such capacity, shall be sentenced to a fine not less than (QR 4.000.000) four million Qatari Riyals and not more than (QR 8.000.000) eight million Qatari Riyals, or threefold the maximum fine applied to such offence, whichever is greater.

The above shall not prevent the punishment of the natural person, perpetrator of the crime, with the corresponding penalty prescribed by this Law.

The Court may order that the legal person be prohibited, either permanently or temporarily, from directly or indirectly carrying on certain business activities, or be subjected to judicial supervision, or to close permanently or temporarily the premises used for perpetrating the offence, or to dissolve and liquidate his

business. The Court may also order that the judgment issued against the legal person in relation thereto, be published in two daily newspapers at the legal person's own expense.

### **Article (78)**

Any person who commits any of the money laundering crimes stipulated in Article (2) of this Law, shall be sentenced to imprisonment for a term not exceeding ten (10) years, and a fine not less than (QR 2.000.000) two million Qatari Riyals and not more than (QR 5.000.000) five million Qatari Riyals, or twice the value of the money laundered, whichever is greater.

### **Article (79)**

Any person who commits any of the terrorism financing crimes stipulated in Article (3) of this Law shall be sentenced to imprisonment for a term not exceeding twenty (20) years, and a fine not less than (QR 5.000.000) five million Qatari Riyals and not more than (QR 10.000.000) ten million Qatari Riyals, or twice the value of the financing provided, whichever is greater.

### **Article (80)**

Any person who intentionally fails to make a declaration of currency, bearer negotiable instruments, precious metals or stones, when entering or exiting the State; or submits a false declaration thereof; or refuses to make a disclosure or provide additional information when requested to do so by the customs authorities on the purpose of carrying or using currency, bearer negotiable instruments, precious metals or stones, as provided for in Articles (23) and (24) of this Law, shall be sentenced to imprisonment for a term not exceeding three (3) years or a fine not less than (QR 100.000) one hundred thousand Qatari Riyals and not more than (QR 500.000) five hundred thousand Qatari Riyals, or twice the value of the carried funds, bearer negotiable instruments, precious metals or stones, whichever is greater.

### **Article (81)**

Employees of the competent authorities who intentionally commit or attempt to commit, in cases not provided for in the provisions of this Law, the offence of disclosing any confidential information obtained within the scope of their duties or of accessing, or attempting to access, confidential information not necessary to the performance of their duties, shall be sentenced to imprisonment for a term not exceeding three (3) years and a fine not more than (QR 500.000) five hundred thousand Qatari Riyals.

### **Article (82)**

Directors, board members, owners, authorized representatives or any other employees of financial institutions and DNFBPs, who contravenes the provisions stipulated in Article (8), (9), (10), (11), (13), (14), (15), (16), (17), (18), (20), and (21) of this Law, whether wilfully or as the result of gross negligence, shall be sentenced to imprisonment for a term not exceeding two (2) years or a fine not less than (QR 5.000.000) five million Qatari Riyals and not more than (QR 10.000.000) ten million Qatari Riyals, or one of these two penalties.

### **Article (83)**

Any person who contravenes any freezing order issued by a competent authority or any provisional measures under the provisions of this Law, shall be sentenced to imprisonment for a term not exceeding five (5) years and a fine not less than (QR 3.000.000) three million Qatari Riyals and not more than (QR 5.000.000) five million Qatari Riyals.

### **Article (84)**

Any person who commits the offense of disclosing information that may reveal that a suspicious transaction report has been submitted to the Unit, or has not been submitted, shall be sentenced to imprisonment for a term not exceeding three (3) years and a fine not more than (QR 500.000) five hundred thousand Qatari Riyals, or one of these two penalties.

### **Article (85)**

Any person who becomes aware that the offences stipulated in this Law are committed or will be committed and did not inform the competent authorities thereof, shall be sentenced to imprisonment for a term not exceeding three (3) years and a fine not more than (QR 500,000) five hundred thousand Qatari Riyals, or one of these two penalties.

If the perpetrator is a public official or a public service officer, and the offence was committed due to his breach of his duties or mandates, he shall be sentenced to imprisonment for a term not exceeding five (5) years and a fine not more than (QR 1.000.000) one million Qatari Riyals.

This provision shall not apply if the person who failed to inform the competent authorities is a spouse of the perpetrator, or a relation up to the second degree.

### **Article (86)**

Any person who intentionally and with the unlawful intention commits the offence of concealment or assisting in concealing that a customer is a politically exposed person, shall be sentenced to imprisonment for a term not exceeding three (3) years and a fine not more than (QR 500.000) five hundred thousand Qatari Riyals, or one of these two penalties.

### **Article (87)**

Any person who intentionally and with the unlawful intention commits the offence of providing or assisting in providing false information regarding the beneficial ownership of any financial institution, DNFBP, or competent authority, shall be sentenced to imprisonment for a term not exceeding three (3) years and a fine not more than (QR 500,000) five hundred thousand Qatari Riyals, or one of these two penalties.

### **Article (88)**

The penalties provided for in Articles (78) and (79) of this Law shall be doubled in case of:

1. Repetition and recurrence. An offence is considered recurrent, if the perpetrator committed a similar offence within 5 years of the date of executing the penalty imposed or extinguished by lapse of time.
2. Contributing to the commission of one or more ML/TF offence(s), or attempted offence(s), as part of a group acting with a common purpose.
3. An offence is committed by a person who abuses his powers or influence in a financial institution, or a DNFBP, or abuses the powers offered by his job position or his professional or social activity.

### **Article (89)**

In the event of a conviction for money laundering, predicate offence or terrorism financing, and without prejudice to the rights of *bona fide* third parties, the Court shall issue a confiscation order of:

1. Funds constituting the subject of the offence.
2. Funds constituting the proceeds of crime, including funds intermingled with such proceeds, or derived from or exchanged for such proceeds, or funds the value of which corresponds to the value of such proceeds.
3. Funds constituting incomes and other benefits derived from such funds, or proceeds of the crime.
4. Instrumentalities used to commit the offence.

Third parties are *bona fide* or acting in good faith, when obtaining all or part of the funds, or acquiring the same in exchange for payment of an appropriate price, or in return for providing services commensurate with the value thereof or other legitimate grounds, and were unaware of their illicit origin.

If, in cases where an offence is punishable by the provisions of this Law, and the perpetrator thereof has not been convicted because he is unknown, or he died, the Public Prosecution may transmit the file to the competent court to order the confiscation of the seized funds if sufficient evidence is adduced that they constitute proceeds of crime.

In all cases, the confiscation order shall specify the funds in question and shall contain the necessary details to identify and locate such funds.

### **Article (90)**

Confiscated funds and the proceeds of sale thereof shall accrue to the State Treasury. Such funds shall remain encumbered, up to their value, by any rights lawfully established in favor of *bona fide* third parties.

### **Article (91)**

The Public Prosecution shall establish an Office for Seizure and Confiscation, directly reporting to the Public Prosecutor. The office shall be responsible for identifying and tracing the funds that may be subject to confiscation under the provisions of this Law. The office shall collect and maintain all data associated with its mission in accordance with the Law, and shall manage the seized assets in accordance with the feasible means available to it.

The Public Prosecutor may authorize the sale of funds or properties likely to incur significant depreciation due to management or to the cost of preservation, which is unreasonably disproportional to its value. In such case, the value of the sale shall remain subject to seizure.

### **Article (92)**

In case of multiple offenders, the perpetrator of the ML/TF offence shall be exempted from the penalties of imprisonment and fine provided for in this Law, if the perpetrator notifies the competent authorities of any information related to the offence and the persons involved therein, before such authorities' knowledge of the offence, or prior to the its execution.

The Court may decide to suspend the execution of the penalty in case the said informing is received after the knowledge of the competent authorities of the crime and the persons involved therein, and led to arresting of the other offenders or the seizure of the instrumentalities or proceeds of crime.

The exemption from the penalties or the cessation of the execution thereof shall not preclude the confiscation of the proceeds or instrumentalities of crime.

### **Article (93)**

Without prejudice to the rights of *bona fide* third parties, any contract, agreement, or any other legal instrument, shall become null and void if its parties or any party becomes aware or believes that the purpose or the contract is to avoid freezing or confiscation of the ML and TF instrumentalities or proceeds of crime.

### **Article (94)**

Subject to the jurisdictional provisions of the Penal Code, the provisions of this Law shall also apply in the following cases:

1. If the offence is committed against a government or public facility outside the State's territory, including diplomatic and consular premises.
2. If the perpetrator of the offence is a stateless person having his habitual residence in the State.
3. Any person residing in the State after committing abroad, as perpetrator or accomplice, any of the criminal offences stipulated herein.

The Public Prosecution shall have the power to investigate, charge and initiate proceedings related to the above-mentioned crimes, and the competent courts in the State shall exercise jurisdiction over such crimes.