

Approval of Consequential Amendments to the QFC Employment Regulations.

Background

The constant evolution and refining in the QFC administered Regulations and Rules result inevitably in some inaccuracies in cross referencing in the various Regulations Rules, including the QFC Employment Regulations. One issue that became apparent is the references to the Tribunal as the tribunal established pursuant to the TDR Regulations and the reference to the TDR Regulations themselves as the regulations enacted or to be enacted by the Minister pursuant to the QFC Law relating to dispute resolution. The TDR Regulations were never enacted and Article (8) of the QFC Law No. 7 of 2005 (as amended), established the Regulatory Tribunal and the Civil and Commercial Court. The reference to Tribunal creates confusion as it is not clear from the Regulations, as they stand, which of the two institutions is referred to.

In addition, the QFC Regulations and Rules contain several references to Ministries, Departments and Authorities in the State of Qatar that have changed names, merged or no longer existent. Therefore, some routine amendments to the Regulations are required to rectify any inaccuracies and redundancies.

The suggested amendments also deal with the introduction of a National Sport's Day as a public holiday as a consequence of His Highness Sheikh Tamim bin Hamad Al-Thani issuing Emiri Decision No.80 of 2011 whereby the second Tuesday of February every year was declared as the National Sport's Day public holiday.

Summary the Consequential Amendments

The amendments to the QFC Employment Regulations can be summarised as follows:

- Rectifying all inaccurate references to the Ministries / Departments of the State of Qatar such as the Labour Department, Ministry of Civil Service Affairs and Housing, the CID as a separate body from the Ministry of Interior and the Labour Office;
- Replacing all references to the Tribunal by the Civil and Commercial Court, and all references to the Appeals Body by the Regulatory Tribunal, and inserting a definition for both. All references to TDR Regulations were also removed. Those amendments are necessary to avoid any discrepancies between the Employment Regulations, the QFC Law No. 7 of 2005 (as amended) and other QFC Regulations; and
- For accuracy, the reference to Independence Day was rectified to read National Day. Further, the National Sport Day was added as a public holiday in addition to any other holiday declared by the State of Qatar and recognized by the QFCA as applicable to the QFC.

Action required

The Board is requested to discuss and approve, as appropriate, the Consequential Amendments to the QFC Employment Regulations as discussed and recommended above.

The Board of the QFCA approves the amendments to the Employment Regulations for enactment.

The QFCA Board on 20th March 2012 at the Qatar Financial Centre, Doha, State of Qatar

H.E. Yousef Hussain Kamal, Chairman

