




LAW NO. 10 OF 2016
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AND ITS DERIVATIVES**

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We, Tamim Ben Hamad Al Thani, Emir of Qatar,

Having perused the constitution;
Law No. 4 of 1990 on Specifications and Metrology System, as amended by Law No. 2 of 1992;
Law No. 20 of 2002 on the Control of Tobacco and its Derivatives;
Law No. 1 of 2012 on the Control of Placing Advertisements;
Law No. 5 of 2015 on the Commercial, Industrial, Similar Public Stores, and Street Vendors;
Emiri Resolution No 10 of 2016 on the Organizational Structure of the Ministry of Public Health;
Decree No. 14 of 1999, on Increasing Customs Duties Rate on Tobacco and its Derivatives;
The Proposal of the Minister of Public Health;
The Draft Law submitted by the Council of Ministers;
And after consulting the Advisory (Shura) Council;

Hereby promulgate the following Law:

Article 1

In application of the provisions of this Law, unless the context otherwise requires, the following words and phrases shall have the meanings assigned thereto hereunder:

- **The Ministry:** the Ministry of Public Health.
- **Minister:** the Minister of Public Health.
- **Tobacco:** tobacco plants of all species, varieties, and parts including roots, stems, leaves, fruits, and seeds thereof, whether fresh or dried.
- **Tobacco derivatives:** tobacco leaves, whether whole, sliced or chopped, pure or mixed with other substances, and any other substances of which tobacco is a component.
- **Cigarette:** a roll of sliced tobacco leaves containing pieces of tobacco of any kind or type, either without filter or with a plain filter or a filter that has side ventilation channels, intended for smoking.
- **Chewing Tobacco:** tobacco produced by cutting and folding the tobacco leaves into wide strips so that they are chewable. It can be mixed with spices, areca nut, betel leaves, or gum.
- **Dipping tobacco (Sweika):** any substance made of tobacco derivatives, which is usually stored in the mouth sniffed nasally, or used in any other way.
- **Smoking:** the lighting of tobacco or its derivatives, whether separately or with any other additives as nicotine, with a view to inhaling and exhaling the smoke emitted therefrom.

- **Simulators of smoking tools:** any product that does not contain tobacco but resembles it, including all kinds of candy and children's toys that are shaped into any forms or products of tobacco or its consumption mechanisms.
- **Cigarette:** or any container or tool in the shape or form of a cigarette or any other similar object.
- **Electronic cigarette:** a battery-operated device that is typically designed to resemble a traditional cigarette and is used to inhale a usually nicotine-containing vapor
- **Publicity, promotion and advertising:** presentation of tobacco and its different derivatives, and encouraging its trading and the increase in the number of its users, through printed matter and broadcasting in the visual and audio media, or through any other promotional methods, whether directly or indirectly.
- **Public place:** a place prepared or designated for receiving the public or any special category of people for any purpose.
- **Closed public place:** any public place that has fixed or movable space, walls and a partial or complete ceiling.
- **Means of public transport:** methods of public transport, such as taxis, buses, planes, ships, boats, intended for use by and transporting of the public. Means of public transport for ministries and other government entities, authorities, public and private institutions, also fall under the same public transport category.

Article 2

The cultivation or manufacture of tobacco or its derivatives shall be prohibited in the State, whether through preparation, mixing with other substances or packing in any form, for any purpose such as sale or resale. The importation, manufacture or use of automated devices intended for the sale of cigarettes shall be prohibited.

Article 3

Each person who imports, sells, offers for sale, or possesses tobacco and its derivatives for the purpose of sale or storage, shall observe the terms and conditions contained in this Law and the implementing regulations pertaining thereto.

Article 4

Each importer of tobacco or its derivatives, or of cigarettes of different kinds, shall notify the Ministry in writing at least one week prior to the arrival of the shipment in the State, for the purpose of testing and ascertaining compliance with the approved standards.

Entry to the State of any shipment of tobacco or its derivatives, or of cigarettes of different kinds, shall be permitted only upon written authorization from the Ministry stating that the imported shipment satisfies the standard specifications.

The importer is allowed a thirty-day grace period to return or replace the shipment in violation of this Law and the implementing regulations pertaining thereto, beginning from the date of receiving notification of the imported shipment's noncompliance with the approved standards.

Article 5

Subject to the provisions of the aforementioned Law No. 4 of 1990, the amount of tar and nicotine allowed in one cigarette shall be determined by a decision from the Minister.

Article 6

Subject to the provisions of the approved standard specifications, the date of expiry and the cautionary statements and images, as determined by the designated department in the Ministry, must be conspicuously affixed on each unit of tobacco or derivatives or cigarette package, in accordance with the regulations of the decision promulgated by the Minister.

Article 7

Importing, circulating, displaying, selling, distributing or manufacturing chewing tobacco, in any form and under any name, shall be prohibited. Importing, circulating, displaying, selling, distributing or manufacturing electronic cigarette, shisha or simulators of smoking tools shall be prohibited. Importing, circulating, displaying, selling, distributing or manufacturing Sweika, in any form or under any name, shall also be prohibited.

Article 8

The sale of cigarettes of all types or tobacco and its derivatives to any person under 18 (eighteen) Gregorian years shall be prohibited. Ignorance of the law shall not be an excuse and the seller shall take all necessary precautions to ascertain the age of the buyer.

Article 9

The advertising, promoting, or sponsoring of cigarettes or tobacco or its derivatives with a view to promoting and encouraging smoking shall be prohibited in all places and by any advertising media in Qatar. Use of tobacco or its derivatives as means to advertising another product shall also be prohibited.

Article 10

The allocation of stores for sales of cigarettes, tobacco, or its derivatives without obtaining a license shall be prohibited.

Stores that offer cigarettes or tobacco or its derivatives for sale shall designate a selling place inside the store, and shall prominently and legibly display the cautionary statements and images described in Article 6 herein inside the store or on other conspicuous banners, in accordance with the regulations of the decision promulgated by the Minister.

Article 11

The sale, circulation or display of any quantity of tobacco or its derivatives after its expiry date shall be prohibited.

Article 12

Smoking shall be prohibited in the closed public places set forth by a decision of the Minister.

Article 13

The sale of cigarettes or tobacco or its derivatives at a distance of less than 1000 meters from schools and other educational and training institutions shall be prohibited.

Article 14

Five percent (5%) of the proceeds of customs duties on tobacco and its derivatives shall be allocated and entered into the Ministry's budget for the purpose of spending on health education and combating all forms of smoking.

Article 15

Without prejudice to the penalties prescribed in this Law, and upon a substantiated decision, the competent department director of the Ministry shall order the closure of the store in which a violation to the provisions of this Law has occurred. Such closure shall be on a temporary basis for a month for the first offense, and for two months for the second offense, and for a period of three months for the third or more offense.

In all cases, the closure shall be implemented through administrative measures for the whole store, if its condition does not allow confining the closure on the part in which the violation occurred, and the accused shall incur all necessary expenses for such closure.

The party concerned may appeal against the decision of closure to the Minister within ten days from the date of receiving notification of the decision, with all the supporting documents.

The Minister shall decide on the appeal within ten days of the date of its submission, and such decision shall be final.

The lapse of such prescribed period, referred to in the preceding paragraph, without a reply deciding on the appeal shall implicitly signify rejection of such appeal.

Article 16

Without prejudice to any more severe penalty stipulated in any other law, imprisonment for a period not exceeding six months, in addition to a penalty not exceeding one hundred thousand Riyals or either of the above mentioned penalties, shall be imposed on anyone who violates any of the provisions stipulated in articles 2, 3, 4 (first paragraph), 6, 7, 8, 9, 10, 11, and 13 of this Law.

Article 17

Without prejudice to any more severe penalty stipulated in any other law, a penalty of not less than one thousand (1000) Riyals, not exceeding three thousand (3000) Riyals shall be imposed on anyone who smokes cigarettes or tobacco or its derivatives, or permits smoking, in public closed places where smoking is prohibited.

Article 18

Without prejudice to any more severe penalty stipulated in any other law, a penalty not exceeding three thousand (3000) Riyals shall be imposed on anyone who smokes cigarettes while driving a vehicle in the presence of any person under the age of 18.

Article 19

A corporate person shall be penalized with a fine not exceeding one hundred thousand (100,000) Riyals should any of the crimes stipulated in this Law is committed on its behalf or in its name, without prejudice to the liability of the natural person.

Article 20

In case of conviction of any of the crimes stipulated in this Law, the court may order the confiscation, re-exportation or destruction of the cigarettes or Sweika or tobacco or its derivatives or simulators of smoking tools or electronic cigarettes or shisha involved in the violation, irrespective of the quantity. The court may also order the confiscation of the material and tools used in its production or consumption. The court may also order the closure of those places in which the violation occurred for a period of not less than one month and not more than three months. The destruction of such material and tools shall be carried out at the expense of the perpetrator without damaging the environment.

In all cases, the conviction sentence shall be published in two daily newspapers at the expense of the convicted.

Article 21

The Minister or his/her attorney may resolve to reconcile any of the offences stipulated in this Law before the initiation of criminal case, or during its consideration by court, and before the issuance of a final ruling, and this shall be in return for payment of half of the maximum fine value stipulated for each offence. As a consequence of such reconciliation, the legal case shall not be permissible to be initiated or shall be abated, as appropriate.

Article 22

Upon an agreement with the Minister, employees of the Ministry and other government officials nominated by their respective competent entities, who are vested with the powers of judicial enforcement officers (ombudsmen) by virtue of a resolution of the Attorney General, shall have the capacity to control, seize and investigate offences committed in violation of the provisions of this Law.

Article 23

The Minister shall issue regulations and decisions necessary for the implementation of the provisions of this Law. Until that time, the regulations and decisions currently applicable to tobacco or its derivatives and the prohibition on smoking shall remain in force, insofar as they are not inconsistent with the provisions of this Law.

Article 24

Law No. 20 of 2002, referred to above, shall be repealed, together with any provision conflicting with the provisions of this Law.

Article 25

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

Tamim Ben Hamad Al Thani
Emir of the State of Qatar

**Issued at the Amiri Diwan of Qatar on 10/10/1438 Hijri,
corresponding to 11/10/2016 A.D.**