

Law No. (17) of 2018 Establishing the Workers' Support and Insurance fund

Number of articles: 23

We, Tamim Bin Hamad Al-Thani, Emir of the State Qatar,
Pursuant to the Constitution,
The Labour Code promulgated by Law No. 14 of 2004 and the Laws amending it,
The Law on the State's Financial System promulgated by Law No. (2) of 2015,
The Law No. (21) of 2015 regulating the entry and exit of expatriates and their residence, and
The Laws amending it,
The Law No. 15 of 2017 on Domestic Workers,
The proposal of the Minister of Administrative Development, Labour and Social Affairs,
The draft law submitted by the Council of Ministers,
And consulting the Shura Council,

Have decided the following:

Article 1

In the application of the provisions of the present Law, the following words and expressions shall have the meanings herein assigned of them, unless the context indicates otherwise:

Fund: means Workers' Support and Insurance Fund established under the provisions of the present Law

Governing Council: means Governing Council of the Fund

Chairman: means Chairman of the Governing Council

Labour Dispute Settlement Committee: means Labour Dispute Settlement Committee established under the provisions of the aforementioned Labour Code

Employer: means the employer subject to the provisions of the Labour Code or the Domestic Workers Law, referred to herein

Worker: means the worker or employee subject to the provisions of the Labour Code or the Law on Domestic Workers referred to herein.

Article 2

A fund named "Workers' Support and Insurance Fund" shall be established, and shall be given a legal personality and an independent budget.

Article 3

The Fund shall be governed by the Council of Ministers and shall have its headquarters in Doha city. By decision of the Governing Council, branches or offices of the Fund may be established within the State.

Article 4

The Fund shall receive for its annual budget 60% of the fees collected for workers' permits and their renewal.

Article 5

The Fund aims at supporting, ensuring and caring for workers, guaranteeing their rights, providing a healthy and safe working environment for them, and in doing so shall exercise all the necessary powers and competences. In particular it is tasked with:

1. Providing the needed and sustainable financial resources for the support and insurance of workers.
 2. Paying the workers' benefits, which are settled by the Labour Disputes Settlement Committee, and subsequently reclaiming those amounts from the employer.
 3. Contributing to the provision and establishment of playgrounds, entertainment venues, or workers' accommodation, in coordination with the relevant authorities.
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Article 6

The Fund shall be administered by a Governing Council, under the chairmanship of the Minister of Administrative Development, Labour and Social Affairs, Vice-Chairman and a number of members whose appointment and remuneration shall be determined by a Decision of the Prime Minister upon a proposal from the Minister of Administrative Development, Labour and Social Affairs

The Governing Council shall have a secretary. A decision shall be issued by the Chairman appointing him, specifying his competences and remuneration.

The Governing Council shall establish a system of work that incorporates the rules necessary for the performance of its functions.

Article 7

The term of office of the Governing Council shall be three years, renewable for a similar period or periods.

Article 8

The Governing Council shall exercise all the powers and competences necessary to achieve the objectives of the Fund, execute its functions and manage its affairs. In particular, it is tasked with the following:

1. To develop the general policy of the Fund and supervise its implementation
2. To issue the organizational structure of the Fund
3. To promulgate the administrative, financial and technical regulations of the Fund
4. To approve the Fund plans, programs and projects and follow-up on their implementation
5. To establish the necessary rules and procedures to provide support to workers
6. To conclude agreements, memoranda of understanding and contracts with national, regional and international bodies in the field of its jurisdiction, in accordance with the rules and procedures in force in the State
7. To approve the Fund's draft annual budget and its final account
8. To accept donations, proceeds and grants
9. To propose draft legislative instruments to the activities of the Fund
10. Any other functions assigned to it by the Council of Ministers

The decisions of the Governing Council provided for in sections (1), (2), (3), (6), (7) and (8) shall only come to effect after they have been adopted by the Council of Ministers.

Article 9

The Governing Council shall convene upon the invitation of the Chairman at least once a month. The meeting shall be deemed valid only if attended by a majority of its members, provided that either the Chairman or the Vice-Chairman is present.

The Council shall issue its decisions by majority vote of the present members. Where there is a tie, The Chairman shall cast the deciding vote.

Article 10

The Governing Council may invite to attend its meetings those whom it deems experienced or competent members of the Fund staff or others, to provide advice, statements or clarifications requested by the Governing Council. They shall have the right to participate in the discussions without having the right to vote.

Article 11

The Chairman shall represent the Fund before the Judiciary and in its relations with third parties.

Article 12

The Chairman shall have the right to sign the Fund and may delegate the Vice-Chairman, a member of the Governing Council or the Executive Director to sign, individually or collectively, in matters specified by him.

The stamp of the Fund shall not be deemed duly stamped on any document, unless accompanied by the signature of the Chairman or the authorized person.

Article 13

The Fund shall have an Executive Director, whose appointment and remuneration shall be determined by a decision of the Prime Minister, upon the proposal of the Chairman.

Article 14

Under the supervision of the Governing Council and within the framework of the Fund's general policy, the Executive Director shall conduct all administrative, financial and technical matters in accordance with the established laws, regulations and systems and within the approved annual budget. In particular, he shall be responsible for the following:

1. Proposing the Fund's plans, programs and projects and following up on their implementation after approval.
2. Preparation of the organizational structure of the Fund
3. Preparation of draft administrative, financial and technical regulations of the Fund.
4. General supervision of the administrative body of the Fund and coordination of the work of the various administrative units.
5. Implementation of the Governing Council decisions.

6. Preparation of draft agreements, memoranda of understanding and contracts to which the Fund is a party
 7. Preparation of the draft annual budget of the Fund and its final account
 8. Preparation of an annual report on the activity and achievements of the Fund and submitting it to the Governing Council at the end of each financial year
 9. To carry out any other work assigned to him by the Governing Council in accordance with the provisions of the present Law.
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Article 15

The Chairman, the Vice-Chairman, a member of the Governing Council, the Executive Director or any of the Fund's staff members or their relatives up to the fourth degree shall not have a direct or indirect personal interest in contracts concluded with or for the Fund, or in its projects, or in any of its areas of activity.

Article 16

The Governing Council shall issue, upon the proposal of the Executive Director, a decision on the rules and procedures for the payment of workers' entitlements in accordance with the provisions of the present Law.
The Fund shall replace the worker in redeeming the paid entitlements from the employer.

Article 17

The resources of the Fund shall consist of:

1. The financial allocations by the State for the operational expenses of the Fund
2. The amount provided for in Article (4) of the current law
3. Investment returns of its funds
4. Donations, wills, contributions and grants accepted by the Governing Council.

Article 18

The Council of Ministers shall be responsible for issuing the Fund's investment system.

Article 19

The Council of Ministers may appoint one or more auditors to monitor the accounts of the Fund. The auditor shall, at all times, have the right to access all books, records and documents of the Fund and to request data that he deems necessary for the proper performance of his duties.

Moreover, the auditor shall submit a detailed report on the outcome of the audit of the Fund, including its proposals and recommendations, to the Council of Ministers.

Article 20

The Governing Council shall submit to the Council of Ministers a detailed report on the aspects of the Fund's activities, projects, work progress and financial position no later than three months after the end of the fiscal year. The report shall also include the Governing Council's proposals and recommendations.

Article 21

The Council of Ministers may request the Governing Council to submit reports on the administrative, financial and technical conditions of the Fund, or any aspect of its activity, or any information relating to it. It may issue general directives on how the Council should proceed in matters relating to public policy.

Article 22

The Governing Council shall issue the necessary decisions to implement the provisions of the present Law.

Article 23

All competent authorities, each within its own competence, shall implement the present Law which shall be published in the Official Gazette.

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