

Law regulating trade in species of endangered wildlife and their products (No. 05/2006)

(This English translation was made by volunteers for the Qatar Natural History Group (QNHG). The QNHG is not responsible for any errors or misinterpretations of the original law written in Arabic and available at <http://www.moe.gov.qa/English/Rules/SitePages/Default.aspx>)

I, Hamad bin Khalifa Al Thani, the Emir of Qatar, having reviewed the Constitution and Legislative Decree No. 11 of 2000 establishing the Supreme Council for Environment and Natural Reserves and the Convention on International Trade in Endangered Species of groups of animals and wild plants of the accession of the State, Decree No. 19 of 2001 and the Convention on the preservation of wildlife and their natural habitats in the Gulf Cooperation Council of Arab Gulf states ratified by Decree No. 43 of 2003, and the proposal of the President of the Supreme Council for Environment and Natural Reserves, and the draft law submitted by the Council of Ministers and after consulting the Shura Council decided the following Law:

Article (1)

In applying the provisions of this Law, the following words and phrases, the meanings assigned to them, unless the context otherwise requires

Board: The Supreme Council for Environment and Natural Reserves.

Chairman: The Chairman of the Council.

Executive Management: Department of Wildlife Research Department of Wildlife Conservation and Development Council.

Scientific Management: Department of Natural Reserves Management Wildlife Conservation and Development Council.

Relief Center: The location specified by the Council in coordination with the concerned authorities for the deposit of samples of live fungal organisms that are confiscated.

Country of origin: the country in which it took samples from her native land or who were born in it, and the place of breeding in captivity or breeding the way of industrial or entered from the sea.

Fungal organisms: all living species of animals, birds, plants, bacteria and fungi in their natural habitats or beyond.

Fungal species threatened with extinction: fungal organisms included in the appendices.

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Samples: Any plant or animal, dead or alive, of a kind included in the appendices, and any part or derivative of the accompanying documents prove him or that he detonated his part or derivative of the species and samples included in the appendices to these parts were not authorized by or derivatives.

Products: a natural part of any plant or object is taken from the instinctive.

The product of captive breeding: baby product or product in any other court in an environment where the parents live whether or transport gametes.

The product of artificial propagation: Plants - including their parts and derivatives - produced in the court environment or from the seeds of the mind or the tissues of the bark tissue or spores or other propagation material.

International Trade: Export or re-export or import of fungal organisms included in the appendices.

Import: landing or attempting to take down or bring or introduce any kind or a sample of the species included in the appendices, in any place under the sovereignty of the state under the customs procedures with the exception of transit or unloading and re-charging.

Export: the output of any type or sample of the species included in the appendices of any place under the sovereignty of the state.

Re-exports: the export of any type or specimen previously imported.

Introduction from the sea: the introduction of any type or sample of the species included in the appendices to the State is taken from the marine environment not under the sovereignty of any state.

Transit and unloading and re-shipping: survival of the species or samples under the control of General Administration of Customs, ports on the way to the consignee outside the State.

Commercial purposes: selling or offering for sale or barter or exchange.

Permit or certificate: the official document evidencing the approval of the import of any type or sample of the species included in the appendices, export or re-export or introduction from the sea.

Examination: Make sure permits, certificates and examination of the species and samples.

Appendices: Appendices Figures (1), (2), (3) attached to this law.

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Article (2)

This law shall apply to all types and samples of fungal organisms threatened with extinction listed in the appendices.

Article (3)

Prohibits international trade in species or samples included in the appendices, or transit or unloaded and re-shipped, except by authorization of the executive management in accordance with the provisions of this law.

Article (4)

The application for a permit to import or export or re-export certificate for any type or sample of the species listed in the appendices to the executive management together with the data and documents related to this type , and in particular the following documents:

- 1 - Scientific opinion of management on import, export or re-export.
- 2 - Proof of that species or samples submitted for which demand has been obtained legally.
- 3 - What is the effect that the type or sample provided upon request to re-export, previously imported, in accordance with the provisions of this law.
- 4 - in the case of ship types or living specimen to be exported, or re-export, must provide a statement that the freight agreed with the provisions of the Convention on the transfer of live specimens, and if transport is by air provides something which indicates that this transfer agreed with transport systems of live animals in accordance with the instructions of the air transport.
- 5 - In the event of a request for any kind of export or a sample of the species listed in Annex No. (1), this must be accompanied by demand import statement issued by the executive in the exporting country to him.
- 6 - You must apply for import permit or certificate of introduction from the sea or on any type of a sample of the species listed in Annex No. (1) Accompanied by proof that this type will not be used for commercial purposes.

And executive management requests any information or additional data from the applicant deems necessary to issue a permit or certificate.

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Article (5)

Pending applications for permits and certificates submitted to the executive management within thirty days from the date of submission of data and meet the required documents.

May be to the person concerned may appeal decisions made in accordance with the provisions of this Act to the President, within thirty days from the date of notification of the decision by registered letter with acknowledgment of receipt, and a decision on the appeal within thirty days from the date of submission is the lapse of this period without a decision which refused him.

Article (6)

Issued permits or certificates referred to in the previous article, on the forms prepared for this purpose, and the duration of the validity of these permits and certificates of six months from the date of issuance and may not be ceded to others.

Article (7)

May not be any individual or entity trafficking in any of the species or samples included in the appendices, or engaging in activities bred in captivity or bred artificially or transit through, but after being registered in the register prepared by the executive management for this purpose and in accordance with the conditions and procedures established by a decision of the President, at the suggestion of the executive management.

Article (8)

Any person who carries on trade in species listed in the appendices or exercise activities of captive breeding or artificial propagation, to hold the records stamped by the Council and the recorded amounts and transactions that took places it in a systematic manner.

Article (9)

May not be exported animal species listed in Annex No. (1), which were bred in captivity, the purpose of trafficking, unless the education process has registered with the executive management. However, these species may be traded for non-commercial purposes.

May be without a permit or certificate of export or re-export, trade in species listed in Annexes Digital (2), (3), which were bred in captivity, if these types accompanied by a certificate of production through breeding in captivity, whether issued by the executive management or the executive in the country of export or re-export.

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Article (10)

May not trade in the types of samples or plants listed in Annex No. (1) And produced by artificial propagation, unless the producer through the nursery has been registered with the executive management, however, may be traded for non-commercial purposes.

May be without a permit or certificate of export or re-export, trade in species or specimens of plants listed in Annexes Digital (2), (3) and produced by artificial propagation, if accompanied by a certificate type of artificial propagation of the executive management or the executive in the country export or re-export.

Article (11)

Do not apply the procedures set forth in Article (4) of the Act provides as follows: -

- 1 - the species and the samples are unloaded and re-shipped.
- 2 - Species and dead specimens, parts or derivatives of species listed in Annexes Digital (1), (2) If personal property made to the State or exported or re-exported them.
- 3 - And live specimens of species included in the appendices, if the personal property where the owner obtained a certificate to prove her ownership of the executive management.
- 4 - The species and specimens that are part of a zoo or a circus or a mobile exhibition of wild animals or plants of the exhibition, as well as the species bred in captivity or produced by artificial propagation for non-commercial purposes provided they are accompanied by a certificate valid possession.
- 5 - Species, samples were acquired before the provisions of this Act, to restrict these species in the register prepared for this purpose, issued by a certificate from the executive management.
- 6 - Species, and samples used for scientific purposes and under the conditions and procedures set by executive management.

Article (12)

May be international trade in species or samples included in the appendices with States not parties to the Convention on International Trade in Endangered Species of groups of animals and wild plants, to be accompanied by documents issued by these countries equivalent to the permits and certificates provided for in this law.

Article (13)

Punishable by imprisonment for a term not exceeding one year and a fine not exceeding twenty thousand riyals, or either of them, all of the imported type or sample of the species included in the appendices or the export or re-exported or put to sale or entered from the sea or attempts to do these actions in violation of the provisions of this law.

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Article (14)

Punishable by imprisonment for a term not exceeding six months and a fine of not less than one thousand riyals and not more than ten thousand riyals, or either of them, both won the provisions of this law, any type or sample of the species included in the appendices or the guardian of it, or provided for display to the public without being registered with the executive management.

Article (15)

Punishable by imprisonment for a term not exceeding three months and a fine not exceeding five thousand riyals, or either of them, both submitted to the Executive Management incorrect data or engaged in in order to obtain a permit or certificate of registration of a species or samples included in the appendices.

The same penalty shall apply all of the change, remove or erase the signs used by executive management to identify the species or samples included in the appendices, and all of the pregnancy or the transfer of species or samples through the fly, without taking the procedures set forth in this law and access to supporting documentation for this.

Article (16)

Doubled the sentence set forth in the preceding articles in the case of recurrence. The return of the defendant if he commits a similar offense within three years from the date of completing the implementation of the sentence expiry or lapse of time. And considers all the offenses set forth in this law for similar crimes. In all cases, the judge re-sampling of species or subject of the violation to their place of origin at the expense of the violator or forfeiture, shall be confiscated as cages or containers used in the commission of the crime, and holds the executive management, disposition, after consulting the opinion of management science behind it.

Article (17)

If the perpetrator of the crime or committed in his name or in favor of a legal entity, liable to legal representative as an active partner of the original penalties provided for in this law. The representative of the legal person shall be exempt from punishment if it is proved that the offense took place without his knowledge or against his or damaging it.

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Article (18)

The employees of the executive management and scientific management, who shall have the character of judicial decision of the Attorney General in agreement with the President, seizing and proving crimes committed in violation of the provisions of this Act and its implementing decisions, and shall have the following:

- 1 - inspection of all places, planes, ships and vehicles that are suspected to contain species or specimens of species included in the appendices in violation of the provisions of this law.
- 2 - Check the things that they suspected or types of samples have been transferred or acquired in violation of the provisions of this law.
- 3 - Examination of the records and documents related to species and samples included in the appendices.

Article (19)

Fees payable shall be determined by the permits and certificates issued in accordance with the provisions of this Act, a decision of the Council of Ministers upon the proposal of the Board and get to know the executive management and shall revert to the Treasury General of the State.

Article (20)

The President shall issue the decisions necessary to implement the provisions of this law.

Article (21)

All competent authorities, each within its competence, shall implement this law. And published in the Official newspaper.

Hamad bin Khalifa Al Thani

Emir of Qatar

Issued at the Emiri Diwan on 21/02/2006