NATIONAL ANTI-MONEY LAUNDERING & TERRORISM FINANCING COMMITTEE

In The Name of GOD,
Most Gracious, Most Merciful.

His Highness - Sheikh Hamad Bin Khalifa Al-Thani

Emir of the State of Qatar

His Highness - Sheikh Tameem Bin Hamad Al-Thani

The Heir Apparent

LAW NO. (23) OF 2004
CRIMINAL PROCEDURE CODE

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

Having cognizance of Amended Temporary Basic Law, particularly the articles (23), (34), and (51),
Law number (15) of 1971, The Criminal Procedure Code, and its amending Laws,
Law number (9) of 1987 pertaining to Combating drugs and the dangerous mental effects
products, and controlling their use and trade, and its amending Laws,
Civil and Commercial Procedure Law issued under Law number (13) of 1990, amended by Law (7) of 1995,
Decree-Law number (14) of 1991, organizing the Ministry of Justice and determining its
competences, amended by Law number (11) of 2002,
Law number (1) of 1994 concerning juveniles,
Law number (3) of 1995 organizing prisons,
Law of Advocacy issued under law number (10) of year 1996, and its amending Laws,
Law number (20) of year 1996 concerning the trusteeship for funds of Minors and those who are
classified as such,
Law number (14) of 1999 concerning weapons, munitions and explosives, and its amending Laws,
Law number (10) of 2002 concerning the Public Prosecution,
Law of the judicial authority issued under Law number (10) of 2003,
Law number (3) of 2004 combating terrorism,
The Penal Code issued under Law number (11) of 2004,
And upon the Recommendation of the Minister of justice,
And the draft law submitted by the Cabinet,
And after consultation of the State Consultative Council,
Have regulated:

Article (1)

The Provisions of the Criminal Procedure Code attached herewith is applicable

Article (2)

The Criminal Procedure Code issued under the aforementioned Law number (15) of 1971 is repealed.

Article (3)

All competent authorities with reference to their competences shall abide by this law. This Law

shall come into force on October 1st, 2004. It shall be published in the Official Gazette.

Hamad Bin Khalifa Al-Thani

Emir of the State of Qatar

Promulgated at the Emiri Divan on :12/5/1425 A.H.

Corresponding to: 30/6/2004 AD

CRIMINAL PROCEDURE CODE

BOOK I - THE CRIMINAL ACTION, EVIDENTIARY FACT-FINDINGS, AND THE INVESTIGATION

SECTION I - THE CRIMINAL ACTION

CHAPTER I - PROSECUTION OF THE CRIMINAL ACTION

Article (1)

The Public Prosecution exclusively exercises the act of prosecution of the criminal action and it
shall not be prosecuted by others except in cases provided by law.

Article (2)

The Public Prosecutor individually, or through one of the Public Prosecution's members, shall set
the criminal action in motion and prosecutes it in virtue of the Law.
Anyone, other than members of the body of Public Prosecution, may perform the functions of
public prosecution if appointed for this role in pursuance to the Law.
The Public Prosecutor, in agreement with the Minister of Interior Defense, assigns a police officer
qualified as mentioned in the Law, to perform the purpose of the Public Prosecution before the
competent Court in hearing substitution crimes.

CHAPTER 2 - CASES WHEN THE PROSECUTION OF THE CRIMINAL ACTION DEPENDS ON AN ACTION OR CLAIM

Article (3)

The prosecution of the criminal action shall not take action unless an action is brought by the victim
or whoever is legally representing him, in correspondence to crimes in Articles: (293), (308), (309), (1/323), (324), (1/325), (326), (329), (330), (331), (332), (333), (357), (1/393), (394), (395), of the Penal Code, as well as crimes mentioned by the Law.
The action taken by the victim or by his attorney-at-law must be provided either

oral or in print to the Public Prosecution or to any of the investigation officers. In case of flagrante delicto, the action is provided to any present person from the public authority.

Article (4)

In case the victims of any of the above mentioned crimes where more than one, it is enough that any victim provides an action to start the public prosecution.
In case the defendants are more than one, and the action is taken against one of them, it is considered against the others.

Article (5)

In case the victim, in crimes mentioned in Article (3) of the Law hereof, has not yet attained sixteen years old, or has a mental illness, the action is taken against his guardian.
In case the crime is monetary, the action is taken by the trustee or the custodian.
In case the victim is a legal person, the action is taken by his legal representative or the person he authorizes.

Article (6)

The Public Prosecution replaces the victim in case his benefit contradicts that of his representative, or if he does not have a representative.

Article (7)

The action is refused after thirty days from the day the victim knows about the crime and its perpetrator or the day his representative has knowledge thereof, unless otherwise mentioned by the Law.

Article (8)

The right to prosecute is extinguished by the victim's death, in case death took place after the action is taken, it would not affect the procedures of the action.

Article (9)

The prosecution of the criminal action or any related procedure pertaining to crimes provided under Articles (1/666) and (327) of the Penal Code, shall only be undertaken by a written action claim submitted to the Public Prosecutor by the competent Minister or by the legal representative of Public Associations and Institutions, and other Governmental bodies, within three months from the day of knowledge of the party filing the action of the crime and its perpetrator.

Article (10)

The party applying the action claim or the request may, at any time, abandon it,

before a final judgment is rendered.
Conditions applied to the party applying the action claim or the requests are applicable to the party submitting the abandonment.
In case the parties applying the action claim are more than one, the abandonment does not take place unless issued by them all.
Abandonment capitulated to one victim is considered as abandonment for all.
The criminal action descends in the consequence of abandonment.
In case of death of the plaintiff, his right for abandonment is not transferable to his successors.

CHAPTER 3 - PROSECUTION OF THE CRIMINAL ACTION BY THE ASSIZE COURT

Article (11)

In and while a case is pending before the court, any act committed away from the court hearing session that might contravene with its orders or constitute a contempt of the Court or that might influence any member of such Court or any of the parties or witnesses related to the case pending before it, the Court takes action against the criminal action and render its judgment after trial and statements of the Public Prosecution and the defendant.

Article (12)

With contemplation of provisions of the Law of legal practice; the Court, in the event of a misdemeanor or infraction during the hearing, takes a direct action against the defendant, and render its judgment after trial and statements of the Public Prosecution and the defendant, its verdict is effective even if it is appealed, if the crime is a perjury misdemeanor, or constitutes an act of assault against the Court board or any of its body.
Taking the action, in this case, does not stipulate an action claim or a request if the committed crime is among crimes that necessitate an action claim or a request.
If the Court does not take action before the end of the trial session, prosecution takes place with the normal procedures.
In the event of a felony, the president Judge orders diffusion of the defendant to the Public Prosecution.
In all cases, the president Judge constitutes a minute and orders the arrest of the defendant in accordance with the provisions of the Law hereof.

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CHAPTER 4 - CRIMINAL ACTION DESCEND

Article (13)

The criminal action descends by the decease of the defendant, elapse of the time periode, the issuance of an absolute verdict, an amnesty, abolishment of the Law punishing the act, or for any other reason provided by the Law.

This does not inhibit confiscating items which possession is considered a crime.

In case of death of the defendant during the investigation, the Public Prosecution issues a decision for elimination.

Article (14)

The criminal action descends in articles of criminal acts after ten years, in articles of offences after three years, in articles of infractions after one year, unless otherwise mentioned by the Law. This period starts on the day of committing the crime.

With no violation to the provisions of the previous paragraph, the period of the descending of the criminal action committed by a servant official public employee in accordance to crimes mentioned by articles (148), (149), (150), (151), (152), (153), (154), (155), (156), (157) of the Penal Code, does not begin unless from the date of end of his service or lack of capacity, unless the investigation is undertaken earlier.

Article (15)

Prescription of which the criminal action descends is interrupted by the investigation procedures, the accusation, the trial, the criminal order, evidentiary fact-findings procedures taken against the defendant, or of which he is officially notified, the period continues again starting from the day of stoppage

If the procedures that interrupt the prescription are several, the period continues again starting the date of the last procedure.

If the defendants in a crime are many, the interruption of the prescription for any of them implies interruption for the others, even if no interrupting procedures have been undertaken against them.

Article (16)

The prescription in which the criminal action descends is not interrupted for any reason whatsoever.

Article (17)

A settlement is possible as to infraction acts, and the competent investigation officer, or the member in the Public Prosecution should, upon organizing the minute, propose the settlement to the defendant or his attorney-at-law, and inscribe that in his minute.

The defendant may request the settlement in the previous case.
The defendant who accepts the settlement should pay within fifteen days from the day following the settlement proposal, or whose proposal was accepted by the Public Prosecution a value equals to the quarter of the maximum specified fine for the infraction, or the value of the minimum fine if it is additional. The payment is made to the Court funds, to the Public Prosecution, or to any official public servant authorized to do so by the Public Prosecutor.
The right of the defendant to achieve a settlement does not descend in case the payment time surpasses, or in case of transferring the criminal action to the competent Court, if he pays an amount equal to the half of the maximum specified fine for the infraction, or the value of the minimum fine if it is additional.
The criminal action descends by the payment of the settlement amount, which leads to the termination of execution of the criminal penalty in the event of a settlement after the judgment is rendered, and all related arising criminal effects depart.

Article (18)

The victim of an offence in which a settlement is possible in virtue of the Penal Code, or any other Law, inquires from the Public Prosecution or the trial Court, as the case may be, to prove the settlement with the defendant.
The victim, the defendant or the private attorney-at-law of any of them, might request the settlement, with consideration to the procedural capability of the action provided by the Law hereof.
In this case, the criminal action descends by a settlement.
In crimes that may cause damage to national economy and public benefits, following the completion of investigation, and prior to the referral of the criminal action to the Court, the Public Prosecutor might accept to undertake a settlement that constitutes that the defendant returns money of the crime he committed, as well as any profit or benefit he realized accordingly, and any due compensation
After the execution of the settlement, The Public Prosecutor issues an order of noble poseur.

CHAPTER 5 - CIVIL PROSECUTION BEFORE THE ASSIZE COURTS

Article (19)

Whoever experienced direct personal damage in consequence of a crime may sue the defendant in respect of his civil rights, and during the investigation or before the Court that inspects the criminal action, at any stage of the trial, until the concluding of disputations, he does not have the right to do so before the Court of appeal.

Article (20)

In case who got damaged by a crime does not have the legal capacity and has no legal representative, the court inspecting the suit of the criminal action must assign him by itself, or upon a request from the Public Prosecution, a representative who prosecutes for his civil rights.

And in case the civil suit was taken against a defendant who does not have legal capacity to face a lawsuit, and who has no legal representative, the Court must also assign a legal representative for him by itself, or after the request of the Public Prosecution.

Article (21)

The civil suit may be also filed before the Assize Courts by the insurer to compensate the damages resulting from the crime. The responsible of civil rights and the insurer can intervene in the action at any stage of the trial, and the Public Prosecution and the plaintiff of civil rights may object the intervention of any of them.

Article (22)

The defendant may request before the Assize Court a verdict of compensation for damages resulting from perjury, or malicious accusation from the informer or the victim, the Court render a judgment of compensation against the convicted in the crime of perjury or malicious accusation.

Article (23)

In case the Assize Court recognizes that the adjudication of the civil suit necessitates carrying out a special investigation which consequences to postpone the criminal action suit, it diverts the civil suit to the competent Civil Court.

Article (24)

The plaintiff of civil rights may set his suit before the Assize Court, at any stage of the trial.

It is also permissible for him in this case to take civil action before the competent Civil Court.

Article (25)

If the civil action was taken before civil Court, it is obligatory to suspend adjudicating the case until a final verdict is pronounced as to the criminal action lodged before taking the action or during the measures.

The suspension of the civil action before the Civil Court concludes if the Assize Court issues a sentence in the absence of the defendant, starting from the date the period of contestation by the Public Prosecution elapses, or starting the date of settling this contestation.

In case criminal action was abandoned because of the defendant's insanity, the Assize Court settles the civil action against his custodian.
The suspension of the civil action does not prevent taking the precautionary or urgent procedures.
Procedures provided by the Law hereof are carried out when settling the civil action before the Assize Court.

Article (26)

In case the criminal action descends for any reason, the Assize Court transfers the civil action taken before it to the competent Civil Court, unless the action is matured to a verdict.

SECTION 2 - EVIDENTIARY FACT-FINDINGS
CHAPTER 1 - OFFICERS OF INVESTIGATION AND THEIR DUTIES

Article (27)

The investigation officers are:
1. Members of the Public Prosecution.
2. Members of the Police Force.

It is permissible through a decision by the Public Prosecutor and upon an agreement with the competent minister, to give some employees the qualification of investigation officers for crimes that take place within the province of their specialization and connected to their profession.
The Law hereof does not contravene the qualification of investigation officers mentioned by other earlier Laws or resolutions.

Article (28)

Investigation officers are connected to the Public Prosecutor and under his supervision concerning procedures related to criminal investigation.
The Public Prosecutor might stipulate the competent authority to which the investigation officer is connected to examine his situation if he contravenes his duties or fails to do his tasks, and may request that a disciplinary action be taken against him, without prejudice to the right to initiate a criminal prosecution.

Article (29)

Investigation officers investigate crimes, search for their perpetrators, and collect all necessary evidence for the investigation and the trial.

Article (30)

Investigation officers, while accomplishing their duties, may directly seek the as-

sistance of the public authority officers when necessary.

Article (31)

Investigation officers accept reports and complaints referred to them about crimes, and immediately submit them to the Public Prosecution. They should collect all necessary clarifications to facilitate investigating the facts they receive or which they have knowledge about in any means, and undertake all security preserving measures to conserve the crime evidences.

All procedures taken by the investigation officers should be proved in minutes signed by them, revealing time and place of the taken procedures, along with signatures of the defendants, witnesses, and experts which testimonies were heard and the fingerprint can replace the signature.

If the defendant, the witness or the expert refused to sign, it should be indicated in the minute adding the reason; any procedure unproved in the minute is not taken into consideration.

Minutes are submitted to the Public Prosecution along with the apprehended documents and items.

Article (32)

Whoever has any information about a crime that allows taking action without an allegation, should notify the Public Prosecution or any of the investigation officers about it.

Article (33)

Any civil servant or those of similar status, in virtue of the definition provided by the Penal Code, and during his work time or because of it, who obtained any information about a crime incidence that allows taking an action without a complaint should notify the Public Prosecution or any of the investigation officers immediately about it.

Article (34)

Investigation officers, while collecting evidence, shall make the necessary inspection, hear whoever has any information about crimes and criminal offenders and question the suspect about the crime of his accusation. it is allowed to the defendant, his attorney-at-law, and the victim to attend these procedures whenever possible.

Investigation officers may seek the assistance of experts, and request their advice orally or in writing, and they should not ask witnesses and experts to take an oath unless they were afraid it might not be possible later on.

Article (35)

In case of necessity to undertake any evidentiary fact-finding procedure outside

the province of his competences, the investigation officer undertakes such procedure as long as it is related to an incident within the province of his competences.

Article (36)

The investigation officer or the public authority officer arrests any person who puts himself voluntarily or sua ponte in a suspicious or doubtful state, in a way that necessitates investigating and revealing his identity.

CHAPTER 2 - FLAGRANTE DELICTO

Article (37)

A crime is considered to be flagrante delicto when it is actually being committed, or shortly thereafter.

It is also considered flagrante delicto if the victim is found in pursue of the perpetrator or if the latter is being pursued by a shouting crowd subsequent to the commission of the crime, or when the performer is found a short time after commission in possession of tools, weapons, property, equipment, or other materials indicating that he is the perpetrator or an accomplice, or if it found in his person at the time some indications or signs pointing to that.

Article (38)

In case of flagrante delicto, the investigation officer promptly moves to the scene of the crime to view and preserve material evidence, and note the conditions of the places and people and whatever may serve to determine the truth. He takes testimonies of those present or any person in possession of information relevant to the crime and its performer. He promptly informs the Public Prosecution of his proceedings to the scene of the crime.

The Public Prosecution promptly moves to the scene of the crime upon being informed of the flagrante delicto.

Article (39)

In case of flagrante delicto, the criminal investigation officer may, upon his arrival to the crime scene, forbid whoever is found at the scene from leaving or moving away from that place until the required minute is minted. For that purpose, he may immediately summon any person from whom information relevant to the case can be obtained.

If any person present at the scene does not obey the order of the criminal investigation officer, in accordance with the previous paragraph, or if the summoned person refuses to appear, he proves that in the minute and refers to the Public Prosecution that may issue an order to penalize him by a payment of a fine not exceeding one thousand Riyals.

CHAPTER 3 - THE DEFENDANT ARREST

Article (40)

It is forbidden to arrest or imprison anyone unless through an order issued by the competent authorities, and in the cases provided for in the laws, he should be treated with respect to human dignity, and should not be subject to any bodily or moral harm.

The criminal investigation officer informs the arrested of his right to remain silent and call whoever he finds necessary.

Article (41)

In cases of flagrante delicto related to felonies or offences penalized by an imprisonment exceeding six months, the investigation officer arrests the suspect present at the scene of the crime where there is sufficient evidence for his accusation.

If the defendant is not present in cases provided by the previous paragraph, the investigation officer issues an order for his arrest and proves it in the minute.

Article (42)

In cases different from those provided by the previous Article, if sufficient evidence was found accusing a person of committing an offense or attempting to commit an offense, or in a robbery or a fraud, resisting the public authority officers by using force or violence, the investigation officer undertakes the appropriate security procedures, and request the Public Prosecution to issue an order of arrest.

In all cases, public authority officers execute the orders of investigation, arrest, and security procedures.

Article (43)

The criminal investigation officer immediately hears the statement by the defendant upon his arrest. If there were sufficient evidence for accusation, the officer, within twenty-four hours, refers him to the competent Public Prosecution.

The Public Prosecution interrogates the defendant under arrest within twenty-four hours from the time he is referred to it and orders either that the defendant be released or detained under protective custody.

Article (44)

Whoever sees the criminal in flagrante delicto related to felonies or offences punished by an imprisonment exceeding six months capitulates him to the nearest public authority officers without a need for an issued arrest order.

Article (45)

Public authority officers in crimes of flagrante delicto punished by an imprisonment exceeding six months, shall bring the defendant and render him to the nearest investigation officer.

Article (46)

In case the taking of the criminal action pertaining to the flagrante delicto depends on a complaint, the defendant should not be arrested unless the complaint is taken by the competent party.

CHAPTER 4 - PERSONS AND RESIDENCES INSPECTION

Article (47)

A criminal investigation officer is allowed to inspect the defendant where it is lawful to arrest him, which may include his body, clothes, belongings or any item related to the investigated crime.

Provisions provided in the previous paragraph are applicable to the private car of the defendant.

Article (48)

If the defendant is a female, the search is conducted by a female assigned by the criminal investigation officer or the Public Prosecution, putting her on oath to accomplish her duties honestly and sincerely in case she is not a criminal investigation officer.

Article (49)

Public authority officers are allowed to enter residences in case of a request for help from within, in case of necessity, or in cases provided by the Law.

It is considered necessary to enter the residences with the intention to pursue a person against whom an order of arrest or search was issued by the competent authority.

Article (50)

With respect to the Article (75) of the Law hereof, in the case of flagrante delicto related to any of the following crimes, a criminal investigation officer may search the residence of the defendant and collect relevant items that may help determine the truth, if there is credible evidence that such items exist there:

1. Crimes committed against the external and internal national security.

2. Crimes of terrorism.
3. Crimes of murder.
4. Crimes provided by Law of combating drugs and dangerous products that affect the mental health, and regulating their use and trade.
5. Crime provided by Law of weapons, munitions and explosives.

The search and the apprehension of papers is done in accordance to the Law hereof.

Article (51)

The criminal investigation officer may not open sealed or closed documents found in the residence of the defendant.

A statement to this event is recorded in the minute and is submitted to the Public Prosecution.

Article (52)

The defendant may be searched, or his residence may be searched, with his agreement, in condition that this agreement should be written prior to the search, and that the inhabitants of the residence are notified about the accusation and the search is considered illegal in case they do not approve it.

Article (53)

The search is conducted during daytime. No admittance to residences during the night is allowed except during the commission of a crime, or if such procedure is considered necessary for the investigation. A statement to this effect is recorded in the minute.

Article (54)

In case it appears from circumstantial evidence during the search of a residence of a defendant that he, or any other person who has been present therein, is concealing any relevant evidence, the criminal investigation officer is permitted to arrest and search that person.

Article (55)

If there are some women in the residence, and if the entry of that residence is not for the purpose of arresting or searching these women, the officers in charge of such search must respect the traditions in treating them and give them time to put on their veils or leave the residence and are offered all reasonable assistance that does not negatively affect the search and its results.

Article (56)

Exploration is not performed except for the purposes of searching for items relevant to the crime being investigated or for which evidences are being collected.

However, if such search incidentally reveals materials which possession is unlawful or helps revealing the truth of another crime, the criminal investigation officer collects such evidence.

Article (57)

Criminal investigation officers seal the places containing indications or materials that may be useful in determining the truth, and keep the said places under guard.

They notify the Public Prosecution immediately, and the Public Prosecution, if it considers this procedure necessary, refers the order, within three days, to the judge of the competent misdemeanors court to approve it, or else the procedure is considered as if it was not issued.

Any concerned party may appeal the order to the judge that issued it, by a petition submitted to the Public Prosecution who refers the appeal to the judge immediately so that he orders the affirmation or cancellation of the order.

Article (58)

Criminal investigation officers seize material that may have been used in the commitment of the crime, or resulted from it, or were subject to the crime, as well as anything that may help determine the truth. These materials are described and showed to the defendant whom is asked to give his comments about them. A minute to this effect is issued and signed by the defendant.

In case he abstains from signing, the reasons shall also be included therein.

Article (59)

The seals on places and materials referred to under the two previous Articles are removed by the Public Prosecution in the presence of the defendant or his attorney-at-law or the person with whom those items were found, or after having been duly summoned.

Article (60)

In case the person with whom the papers were found needs those papers urgently, he is given a certified copy of them approved by the member of the Public Prosecution provided that this has no prejudice on the significance of the investigation.

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CHAPTER 5 - ACTIONS OF THE PUBLIC PROSECUTION AFTER THE COLLECTION OF EVIDENCES

Article (61)

In case the Public Prosecution concludes that there are no fundamentals to proceed with the case, before the beginning of investigations, it recommends that the case is suspended. A notification to this consequence is made to the victim, claimer of the civil rights or heirs in case of death.

Article (62)

In case the Public Prosecution concludes that the action related to the offences and infractions may be filed according to the collected evidentiary fact-findings, it refers it to the competent Misdemeanors Court, and the defendant is notified of the referral.

SECTION 3 - INVESTIGATION OF THE PUBLIC PROSECUTION

CHAPTER 1 - CARRYING OUT INVESTIGATIONS

PART 1 - GENERAL PROVISIONS

Article (63)

The Public Prosecution initiates investigations in felonies and offences it considers necessary to investigate.

Article (64)

A member of the Public Prosecution may accompany the clerk of the Public Prosecution to draft the necessary minutes, and when necessary, he appoints someone else to draft the minutes after putting him on oath to accomplish his duties honestly and sincerely. The member of the Public Prosecution and the clerk signs every page of these minutes that shall be preserved with other related papers in the clerk's office.

The member of the Public Prosecution confirms whatever is considered necessary among the investigation procedures before the arrival of the clerk.

Article (65)

The defendant, his attorney, the victim, and the plaintiff of civil rights may attend all the investigation procedures, and the member of the Public Prosecution notifies them about the date and place of the investigation procedures.

The member of the Public Prosecution may, however, conduct the investigation in the absence of all or some of the above mentioned, whenever that is considered necessary or urgent for determining the truth. Immediately after the necessity or urgency has ended, he allows them to review the investigation.

Article (66)

The defendant, his attorney, the victim, and the plaintiff of civil rights submit to the member of the Public Prosecution their pleas and requests considered necessary to be submitted, otherwise they may not take the speech unless authorized by the member of the Public Prosecution, and in case he does not give them the authorization, it is indicated in the minute.

Article (67)

The defendant, his attorney, the victim, and the plaintiff of civil rights may receive, on their expense and during the investigation, copies of papers whatsoever, in case this has no prejudice on the significance of the investigation, or if the investigation is carried out in their absence in virtue of a related issued decision.

Article (68)

The member of the Public Prosecution may assign any of the criminal investigation officers to carry out one or more of the investigation procedures other than the interrogation of the defendant. The officer nominated has the same powers of the member of the Public Prosecution in such procedures.

The officer nominated may carry out any other act related to the investigation, except interrogating the defendant, in cases of necessity whenever such procedure is considered relevant to his selected task and necessary for determining the truth.

Article (69)

The order of commission for investigation is issued, by writing, by the member of Public Prosecution to the competent criminal investigation officer, dated and signed by the person who issued it. If the order is related to the investigation, a validity period shall be specified thereto and it shall be executed only once, in case it was not executed before the end of its validity date, it is renewed as long as its issuance justification exists.

Article (70)

If the benefit of the investigation requires the member of the Public Prosecution to take a procedure outside his area of competence, he shall perform it. He may also request the authority to carry out this procedure which is within its area of competence.

Article (71)

The member of the Public Prosecution, with respect to any case in which he designates another authority to carry out some investigations, indicates in a minute the questions to be investigated and the procedures to be undertaken.

This designated authority may carry out any other act related to the investigation and interrogate the defendant, in cases of urgency whenever such procedure is considered relevant to its designated task and necessary for determining the truth.

Article (72)

The investigation is carried out in Arabic; the member of the Public Prosecution seeks the assistance of interpreters while hearing the statements of litigants or witnesses who do not understand Arabic. The interpreter takes an oath to accomplish his duties honestly and sincerely.

In case any documents or papers were submitted in a language other than Arabic, the member of the Public Prosecution designates a translator who takes an oath as specified in the previous paragraph.

Article (73)

The procedure related to investigation and the results thereof are considered confidential and not to be disclosed by members of the Public Prosecution and their assistants: clerks, experts, and any other person connected to the investigation or participating in it due to his occupation or profession. The penalty to the disclosure of secrets provided by the Penal Code applies to the violator.

SECTION 2 - INSPECTION, SEARCH, AND SEIZURE OF STUFFS CONNECTED WITH THE CRIME

Article (74)

the member of the Public Prosecution hastily moves to any place to carry out the necessary inspection on people, places, and materials related to the crime, whenever necessary for the significance of the investigation.

Article (75)

The search of residences is an act of investigation and is not conducted unless a written authorization is given by the Public Prosecution following inquiries revealing that the owner of the residence or the person inhabiting it, either committed a crime or is an accomplice in the crime, or there was circumstantial evidence indicating that he was in possession of items relevant to that crime.

The authorization may include the search of any residence owned by the defendant or in which he lives, even temporarily.

The search is done to seize materials that may have been used in the commitment of the crime that may have resulted from it, or were subject to the crime, as well as anything that may help determine the truth.

The search is concluded in the presence of the defendant or his representative whenever possible.

A Public Prosecution member may search the defendant, but not others or others' residences, unless there is credible evidence that they are holding materials that may help determine the truth.

Article (76)

With consideration to the provisions of the search of residence provided by the Law hereof, the following conditions are respected:

1. The Public Prosecution specifies, in the search warrant, parts of the house to which the warrant applies, and whether it comprises all the residence, its extensions, or specified parts.

2. In case the residence is for a female, the search is conducted by a female according to the provisions of Articles (48) and (559) of the law hereof.

3. Respect of religious values, habits and traditions of the society.

Article (77)

The member of the Public Prosecution, following a written order by the Public Prosecutor, may seize in the post office all letters, mails, prints, parcels, and telegrams, tap wire or wireless conversations, and minute what happens in a private place whenever this may help determine the truth in any of the following crimes:

1. Crimes committed against the external and internal national security.
2. Crimes provided by Law of combating drugs and dangerous products that affect the mental
health, and regulating their use and trade.
3. Crimes provided by Law of weapons, munitions and explosives.

The capture, tapping or recording in cases different from those stated herein is done following an order by any of the Judges of the competent Court of First Instance.

In all cases, it must not exceed period of thirty days renewable for a similar period or periods as long as its issuance reasons exist.

Article (78)

The member of the Public Prosecution exclusively examines the letters, mails, papers, and seized recordings, providing that this happens in the presence of the defendant, owner or addressee who notes their comments thereon. Following the result of the examination, he may issue orders for such seized materials be kept in the file of the case or returned to their former owner or to the addressee.

Article (79)

The member of the Public Prosecution may not seize any papers or documents that have been delivered by the defendant to his representative or attorney in connection with the performance of the service entrusted to him, nor the correspondence exchanged between them in the case, unless they were essential in the crime, or any of them was an accomplice. Conversations between the defendant, his attorney, or the expert having an advisory capacity are not recorded in the minute.

Article (80)

The member of the Public Prosecution orders the holder of an item considered necessary to be seized or inspected to submit it, and is punished in accordance with the punishment provided by Article (179) of the Penal Code whoever infringes this order, in case the Law authorizes him to abstain from submitting it.

Article (81)

Letters, mails, parcels and other apprehended items are delivered to the defendant or the addressee, or they are given a copy of them as soon as possible, unless it is of prejudice to the procedures of the investigation.

Any person claiming to have a right over the apprehended items requests the Public Prosecution to submit them to him. In case of refusal, he may submit a petition before the Public Prosecutor.

Article (82)

The provision of Article (58) of the Law hereof, applies to the apprehended items.

Article (83)

In case of strong evidence showing that the performer of any of the crimes issued by Articles (293) and (330) of the Penal code has used in their commission a telephone or any other device of communication, the Public Prosecutor or his representative orders, in pursuance of the act taken by the victim of the crime, the tapping of the device for a period of thirty days renewable for a similar period or periods as long as its issuance reasons exists.

SECTION 3 - WITNESSES HEARINGS

Article (84)

The member of the Public Prosecution examines the statements of the witnesses considered necessary to be heard with respect to facts that may lead to the proof of the crime, its circumstances, and its attribution to the defendant or his innocence.

He also examines the statements of people requested by the defendant and the victim, unless not considered necessary by the Public Prosecution.

Article (85)

The member of the Public Prosecution summons people he decides to hear through the public authority officers.

He also examines the statement of any witness who appears before him at his own will, in such case this is drafted in the minute.

Article (86)

The member of the Public Prosecution examines the statements of each witness alone, and he may hear the witnesses in the presence of other witnesses and the defendant.

Article (87)

The member of the Public Prosecution requests every witness to indicate his name, his surname, age, profession, place of residence and his relationship to the defendant and the victim, and verifies his personality.

The witness who has attained the age of sixteen takes an oath before testifying to tell the truth, the whole truth, and nothing but the truth, and the oath is taken according to his religion. A person under the age of sixteen is heard with respect to the evidentiary fact-finding without taking an oath.

These statements, testimonies of witnesses and hearing procedures are recorded into the minute without any amendment, cancellation, erasure, insertion, or addition, unless ratified by the member of the Public Prosecution, the clerk, and the witness, if it is related to his testimony.

The testimony is signed by the member of the Public Prosecution and the clerk, and it shall be signed by the witness after it has been read to him and upon his insistence that he approves it. If the witness declines to sign or affix his fingerprint or seal on such testimony, or if he is unable to do so, a note to this effect is entered into the minute together with any explanation on the part of that witness.

Article (88)

Witnesses are not restituted for any reason whatsoever.

Article (89)

Following the examination of the witness testimony, the victim or the defendant may comment on his testimony and may ask the member of the Public Prosecution to hear the witness on any other point he did not clarify.

The member of the Public Prosecution may always refuse to direct irrelevant or defamatory questions to the witness. He also prohibits any use of acts, words, or signs that may disturb or scare the witness.

Article (90)

Children of the defendant, his grand-children, relatives, sons-in-law of the second degree, his wife, even after the end of their marital bond, shall not testify against him, unless the crime is committed against him, against his wife, or any of his relatives or sons-in-law of the second degree, or if he reported the crime, or if there is no other evidence.

Article (91)

Regulations provided in the Civil and Commercial Procedures Law applies as to the prohibition of testimony of the witness or his relief from testifying.

Article (92)

Whoever is summoned to appear before the Public Prosecution to testify does so in accordance with the request issued to him, or else the Public Prosecution may issue an order to arrest him and bring him before the Court.

Article (93)

If a witness is sick or unable to appear before the court, his testimony is heard at the place where he is available. If the member of the Public Prosecution moves to that place to hear his testimony and finds out the untruthfulness of the excuse, the witness is punished according to the sentence provided by the Article (289) of the Penal Code.

Article (94)

Upon the request of the witnesses, the member of the Public Prosecution estimates the expenses and compensations they deserve with respect to their appearance to testify.

SECTION 4 - ASSIGNMENT OF EXPERTS

Article (95)

If the investigation requires seeking the assistance of an expert, the member of the Public Prosecution issues an order to designate him, specifying in it the task assigned to him.

The expert takes an oath before the member of the Public Prosecution to a complish his task honestly and sincerely, unless he has already taken the oath upon his designation in his occupation.

Article (96)

The member of the Public Prosecution may be present during the expert's pe formance of his task and the expert may accomplish his task in the absence of the defendant.

Article (97)

The expert submits his report in writing within the time prescribed by the member of the Public Prosecution. If the expert fails to submit his report by the deadline, or if required by the investigation, the member in the Public Prosecution may replace him with another expert.

The member of the Public Prosecution, the defendant and the victim may discuss the expert on his report or cross-examine him.

Article (98)

The defendant and the victim may, on sufficient cause, object to the appointment of the expert.

Such objection specifies the reasons thereof and shall be submitted to the Public Prosecution.

The Investigator issues its decision within three days from the date of submission of that objection.

When an objection has been filed, the expert shall not continue in his assignment except in case of urgency or following an order by the member of the Public Prosecution.

Article (99)

The defendant and the victim seek assistance of an advisory expert, and request to be enabled to examine the papers and whatever has been submitted to the expert designated by the Public Prosecution, providing that this does not cause a delay in the procedures of the action.

SECTION 5 - INTERROGATION AND CONFRONTATION

Article (100)

When the defendant appears for the first time for an investigation, the member of the Public Prosecution shall inform him that the Public Prosecution is undertaking the investigations, and shall verify his personality, write down all his personal information, inform him of the offense of which he is charged, and minute any statements the defendant expresses about the accusation.

Article (101)

Other than in cases of flagrante delicto and urgency for fear of losing evidence, the member of the Public Prosecution shall not interrogate the defendant or confront him with other defendants or witnesses, in cases of felonies, unless following a summon to the attorney, if he decides to have one.

The defendant determines the name of his attorney in the investigation minute or in the clerk's office of the Public Prosecution in the department of which the investigation is conducted, or to the detention center officer where he is imprioned. His attorney may undertake the report.

Article (102)

The attorney of the defendant is enabled to view the investigation procedures, one day at least prior to the interrogation or the confrontation, unless seen otherwise by the member of the Public Prosecution.

In all cases, no separation shall be made between the defendant and the attorney attending the investigation with him.

Article (103)

The defendant shall not be asked to take an oath.

SECTION 6 - SUMMONS, ARREST AND APPEARANCE

Article (104)

The member in the Public Prosecution may, as the case may be, summon the defendant to be investigated at a fixed date, or issue a warrant to arrest him and bring him before the Court.

Each summons specifies the full name of the person summoned, his occupation, place of residence, the accusation he is in charge of, date of the summons, name and signature of the member in the Public Prosecution and the official seal of the Prosecution. In addition, the arrest warrant instructs the public authority officers to arrest and bring the defendant promptly before the member in the Public Prosecution in the event that he refuses to appear voluntarily.

The defendant is notified of the orders with the knowledge of the public authority officers, and he receives a copy of the orders.

Article (105)

If the defendant fails to appear without an acceptable excuse after having been duly summoned, or if it is feared that he may flee, or has no known residency in Qatar, or if he is caught flagrante delicto, the member in the Public Prosecution may issue a warrant for his arrest and appearance even if the crime is of such kind for which the defendant should not face preventive detention.

Article (106)

The orders issued by the member of the Public Prosecution are valid throughout the State of Qatar.

The warrants of arrest and appearance shall not be executed after six months of the date of their issuance, unless renewed by the member of the Public Prosecution for a new similar period or periods.

Article (107)

The member in the Public Prosecution promptly interrogates the defendant who has been arrested.

If this is not possible, he is kept in a detention center until his interrogation. The period of detention shall not exceed twenty-four hours. On expiry of that period, the detention center officer transfers him to the Public Prosecution, which

interrogates him within twenty-four hours, or issue an order for his release.

Article (108)

If the defendant is arrested outside the venue of the department of the Public Prosecution conducting the investigation, he is transferred to the Public Prosecution in the area where he was arrested. The Public Prosecution verifies all the relevant personal particulars and informs the defendant of the incident attributed to him. His statements in respect thereof are drafted in a minute that is transferred, along with the defendant, to the competent Public Prosecution.

Article (109)

If the defendant objects to his transfer, or if his health condition does not permit such transfer, the member in the Public Prosecution is informed and promptly issues the necessary order.

SECTION 7 - THE PREVENTIVE DETENTION WARRANT

Article (110)

If it appears, following the interrogation of the defendant, or in the event of his flight, that there is sufficient evidence of a major crime against him, and the incident is a crime or a misdemeanor punished by an imprisonment for a period exceeding six months, the member in the Public Prosecution issues a warrant for his preventive detention.

In previous cases, the member in the Public Prosecution, instead of the preventive detention, and in other offences punished by the imprisonment, issues an order of any of the following measures:

1. Obliging the defendant not to leave his residency or home.
2. Putting the defendant under the surveillance of the police.
3. Obliging the defendant to appear before the police station at certain times.
4. Prohibiting him from going to certain places.
5. Prohibiting him from exercising certain activities. In all cases, the defendant may be precautionary imprisoned if he has no known and fixed residence in Qatar and if the crime is a misdemeanor punished by imprisonment.

Article (111)

If the defendant fails to obey the measure taken against him, in accordance with the previous Article, the member of he Public Prosecution may replace the preventive detention by another measure.

Article (112)

The warrant for preventive detention includes, in addition to the data of the second paragraph of Article (104) of the Law hereof, the Article of Law applicable to the crime and the entrusting of the detention center officer to receive the defendant and imprison him.

Provisions provided by the last paragraph of Article (104) and those of the seond paragraph of Article (106) of the Law hereof apply to the warrants of preventive detention.

Article (113)

Any arrested person or any person put under preventive detention is notified of the reasons of arrest or detention, and he have the right to call whoever is considered necessary and to seek assistance of an attorney.

Article (114)

When the defendant is put in the detention center, the detention center officer receive a copy of the warrant of preventive detention in which is specified the date of end of its validity, after signing the original for having received it.

Article (115)

The detention center officer shall not authorize to any public authority officer to communicate personally or through others with the defendant put under preventive detention in the detention center, unless with a written authorization by the Public Prosecution, and he minutes in the related register the name of the authorized person, time of interview, date and content of the authorization.

Article (116)

In all cases, the member of the Public Prosecution may order the defendant put under preventive detention not to communicate with other prisoners and not to be visited, without prejudice to the right of the defendant to always call his attorney without the presence of anybody.

Article (117)

The warrant for preventive detention issued by the public prosecution is made after the interrogation of the defendant, for four days renewable for similar period or periods.

This period is of eight days renewable for similar period or periods, for crimes provided by chapter one and two of section three of part two of the Penal Code whenever it may prejudice the national economy.

If the interest of the investigation requires the continuation of the preventive detention of the defendant after the end of the period mentioned in the previous paragraph, the Public Prosecution refers the warrant to any of the judges of the

competent Court of First Instance to issue a decision, after perusing the papers and hearing the Public Prosecution and the defendant, to prolong the detention for a period not exceeding thirty days renewable for similar period or periods, or to release him with or without a bail.

In all cases, the preventive detention shall not be for more than a period of six months, providing that the defendant was not announced to be transferred to the competent Assize Court before the end of the said period. If he is accused of a felony, the preventive detention shall not be for more than six months, unless following the receipt of a warrant before the end of the period, from the competent Assize Court, to prolong the detention for not more than forty-five days renewable for similar period or periods, or else the defendant is released.

The defendant put under preventive detention is released, if he has passed in the preventive detention a period equal to half of the maximum period of the sentence pertaining to the crime because of which he was put under preventive detention.

Article (118)

The warrant issued by the Public Prosecution as to any of the measures provided by article (110) of the Law hereof is applicable for the ten days following the start of its execution.

If the Public Prosecution considers it necessary to prolong the period of application of the measure, it shows, before the passing of ten days the papers to any of the judges of the competent Court of First Instance to issue its decision, after hearing the statements of the Public Prosecution and the defendant to prolong the measure for a period not exceeding forty-five days renewable for similar period or periods, or end the measure.

If the investigation is not finished, and the Public Prosecution considers it necessary to prolong the period exceeding forty-five days, it shows before the end of the period, the papers to any department of the Appellate Court to issue its decision, after hearing the statements of the Public Prosecution and the defendant to prolong the measure for consecutive periods, each of them not exceeding forty-five days, if the interest of the investigation requires it, or end the measure as the case may be.

In all cases, the application of the measure shall not exceed the period of six months if the defendant was not announced to be transferred to the competent Assize Court before the end of the said period.

If the accusation is a felony, the application of the measure shall not exceed sixmonths unless following a decision, from the competent Assize Court, to prolong the measure for similar period or periods not exceeding forty-five days, or end the measure as the case may be.

SECTION 8 - TEMPORARY RELEASE

Article (119)

The Public Prosecution may issue an order for the temporary release of defendant put under preventive detention, whether of its own accord or pursuant to a request by the defendant.

Article (120)

In cases other than those where the release is mandatory, the defendant shall not be released temporary until he pays the bail.

The member of the Public Prosecution or the Judge gives an estimate of the amount of the bail, as the case may be.

This amount is considered as a penalty if the defendant fails to appear in any of the procedures of the investigation or the action, and to prevent his fleeing of executing the judgment and the accomplishment of other obligations imposed on him.

Article (121)

The bail is paid by the defendant, or by others, to the treasury of the court or to the Public Prosecution, as the case may be.

It is accepted that any person fully engage himself to pay the estimated amount of the bail if the defendant breaks any of his release conditions. His engagement is drafted in the investigation minute or in the report of the clerk's office of the Public Prosecution, the minute or the report have the power of the writ of execution.

Article (122)

If the defendant fails to execute, without an acceptable excuse, any of the obligations imposed on him in paragraph three of Article (120) of the Law hereof, the amount of the bail becomes a possession of the State without the issuance of a related provision.

All the amount of the bail is refunded if an order was issued showing that there is no sufficient justification to file the action, or in case of innocence, or if the defendant executes the obligations of the previous paragraph.

Article (123)

An order for the release shall not stop the member of the Public Prosecution from issuing a new warrant for the arrest or preventive detention of the defendant if the evidence against him becomes stronger, or where the defendant violates his obligations, or where circumstances of the case require such action.

Article (124)

If the defendant is referred to the Court, his release if he is under preventive detention or imprisoned if he is released is within the competence of the Court to which he was referred.

In case of judgment of non-competence, the Court that has rendered the judgment is in charge of deciding the release or the detention until the action is referred to the competent Court.

Article (125)

The victim does not attend while deciding to renew the preventive detention of the defendant.

CHAPTER 2 - PROHIBITE THE DEFENDANT TO DISPOSE HIS FUNDS OR MANAGE THEM, AND OTHER PRECAUTIONARY MEASURES

Article (126)

In the event that there is sufficient evidence as to the accusation of crimes provided by chapter one and two of section three of part two of the Penal Code, and other crimes against properties of the State, Ministries, public associations and institutions, or other governmental bodies, the Public Prosecutor prohibits the defendant from disposing of his money or managing them, and undertakes other precautionary measures, to ensure that he pays the possible fine, or refunds the amounts and values of the materials in the crime scene, or compensate the victim.

He may order these measures to be undertaken against money of the wife of the defendant, or that of his minor children, if it was proved that this money was devolved to them by the defendant.

The Public Prosecutor, upon ordering the prohibition from managing the money, orders the designation of an attorney-at-law to manage it and specifies his duties.

Article (127)

Any concerned party may petition, to the Assize Court, the issued order of prohibition provided by the previous Article, within six months of the date of its issuance or of the date of notification,

depending on the latest.

The petition is done by a report in the court clerk's office who fixes the date of the hearing in the petition report, which is issued in a period of ten days from the date of the report and the concerned parties are notified about it.

The court decides as to the petition within a period not exceeding thirty days starting the date of the related report.

Article (128)

The Public Prosecutor may nullify or amend the order of prohibition, providing that it was not issued by the court, or that the case was not referred to it.

Article (129)

While hearing the action, the concerned court, by itself or following the request of the Public Prosecution or the concerned parties, may decide to nullify or amend the order of prohibition.

The order issued by the Public Prosecution as to the criminal action or its issued judgment includes the precautionary measures provided by Article (126) of the Law hereof.

In all cases, the prohibition from disposing of money or managing it, or any other precautionary measure stops by the issuance of an order of nolle prosequi of the criminal action, or by the issuance of an order of innocence or of execution of financial penalties and corresponding compensation.

Article (130)

It is not allowed to protest against the execution of the sentence for fine or returning the amounts or the value things of the crime or the compensation of the victim party, depending on the cases, of any legal disposal issue due to the infringement of the prohibition decision stated in the article (126) of the law hereof starting from the date of a particular register. This register shall be organized upon the General prosecutor decision.

Article (131)

When judging the refund of amounts or values of items, or the compensation of the victim or the plaintiff of civil rights as to crimes provided for in Article (126) of the Law hereof, the Court may order, upon a request filed by the Public Prosecution, and hearing the statements of concerned parties, the execution of the said judgment as to money of the wife of the defendant, his children if it was proved that they were devolved to them from the defendant.

Article (132)

The descend of the criminal action in the event of death, before or after its referral to the court, shall not prevent from refunding the amounts pertaining to crimes provided by Article (126) of the Law hereof.

The court order to refund the said amounts to the heirs, legatees, and to whoever made a serious statement of the crime, if it was proved that these amounts devolved to them by the defendant, and the said order is applicable to money of

each of them depending on their benefit.
The court designates a counsel for the defense to whoever was addressed the request of refund of money if was not represented by a defending party.

Article (133)

The Public Prosecutor, during the investigation or the execution of a judgment, or the court of merits during the hearing, may order the defendant or the covicted to be precluded from leaving the country if it was considered necessary by the investigation, the trial, or the execution of a judgment.
This order is valid for six months starting the date of its issuance unless it was renewed for a new similar period or periods. The suspension of the authorization to leave may be contingent on the payment of a bail.

Article (134)

The Public Prosecutor or the court of merits, as the cases may be, may order the insertion of the name of a defendant or a convicted of a crime or a misdemeanor on the list of persons whose arrival is awaited.
This order is valid for three years starting the date of its issuance unless it was renewed for a new similar period or periods.

Article (135)

The party against which the order was issued may petition before the competent court to try the action by reporting it in the court clerk's office, and decide, through an order within fifteen days starting the day of the issuance of the report, whether to support or nullify the order.
The Public Prosecutor may decide to nullify or amend the order providing that it wasn't issued by the court of merits and no decision pertaining to the action was taken.

Article (136)

The Public Prosecutor, in coordination with the Minister of Interior, issues a resolution of the organized regulations of the registers of preclusion of leaving and waiting for arrival.

Article (137)

Without prejudice to any aggravated punishment stipulated by the Law, whoever violates intentionally the execution of the specified measures of insertion in the lists of preclusion of setting up and waiting for arrival, or whoever facilitates or authorizes this violation is imprisoned for a period not exceeding two years, and fined not more than ten thousand Riyals.

CHAPTER 3 - DISPOSAL OF THE SEIZED ITEMS

Article (138)

An order may be issued that any item seized during the investigation be returned even before a judgment is rendered, except when these items are necessary for the procedures or subject to confiscation.

Article (139)

The seized items are returned to the person in whose possession they have been found. If these items were subject to the crime or the crime resulting wherefrom, they are returned to the person who lost possession thereof by reason of that crime, unless the person in whose possession they have been found is entitled to retain them in accordance with the Law.

Article (140)

An order for the return of the seized items is issued by the Public Prosecution; the court alone may order the return of these seized items during the trial.

Article (141)

An order authorizing the return of the seized items shall not preclude interested parties from claiming their rights before the civil courts.

Article (142)

An order for the return of the seized items is issued without a request. The Public Prosecution shall not order the return of the seized items in case of any dispute or doubt as to who has the right to receive them. In such a case, the matter is referred to the Assize Court pursuant to a request by the Public Prosecution or by the concerned party, to order what it sees fit.

Article (143)

When an order for suspending the case has been issued or in case of nolle porsequi, such order specifies the manner in which the seized items may be disposed of. This also applies when the relevant judgment in the case has been rendered if the claim for their return is made before the court.

Article (144)

The court, during the trial of the criminal action, on sufficient cause, refers the order for the return of the seized items to the civil court.

In that case, the seized items may be kept under guard, or any other security action may be taken with respect thereto.

Article (145)

If a seized item is perishable with passage of time, or if the cost of its safekeeping is so excessive that it could equal its value, or if its owner does not request it within three years of the descend of the case, the court may order to sell it by auction, and its price is deposited with the treasury of the Court.

The said collected price construe to the State, in accordance with the provision of the previous paragraph, if the claimant of ownership does not request it within three month starting the date it was sold.

CHAPTER 4 - THE CRIMINAL ACTION PROCEDURE

Article (146)

If the Public Prosecution, following completion of the investigation, is of the opinion that there is insufficient evidence to proceed with the criminal action, it issues a related order, and order the defendant detainee to be released, and to stop the measures. The order of insufficient evidence to proceed with the criminal action as to the crimes is done by at least an advocate general.

The said order explains the reasons therefore and indicates the defendant's name, surname, age, place of birth, place of residence, profession, the accusation and its legal characterization.

The said order is communicated to the victim and the plaintiff of civil rights in their residences, and to his heirs at his last place of residence, in case of his death.

The victim and the plaintiff of civil rights, or heirs of any of them, may petition to the Public Prosecutor the order of the Public Prosecution that there is insufficient evidence within fifteen days of the of the announcement of the order, and may petition to the Assize Court the order of the Public Prosecutor within fifteen days of the of the announcement of the said order.

Article (147)

The Public Prosecutor may repeal the order pertaining that there is insufficient evidence within three months of its issuance.

Article (148)

The order of insufficient evidence to proceed with the criminal action issued by the Public Prosecution shall not preclude the reinvestigation whenever there is new evidence strengthening the charge before the end of the period of descend of the case.

Such new evidence includes testimony of witnesses as well as minutes and other documentation that had not been previously presented to the Public Prosecution and strengthens the evidence that was found insufficient or may serve to clarify and determine the truth.

Article (149)

If the Public Prosecution is of the opinion that there is sufficient evidence against the defendant of a misdemeanor or an infraction, the action is referred to the competent misdemeanors court, in case it is not a misdemeanor that is committed by newspapers which is referred to the Assize Court, and the defendant is notified of the referral.

Article (150)

The referral of the action to the Assize Court is done by an advocate general, at least, in the following two cases:

1. If the act is a crime and there is sufficient evidence against the defendant.
2. If the final judgment of lack of jurisdiction pertaining to the act was pronounced, by the offences court because the act is a misdemeanor.

Article (151)

The order of referral of the action to the competent Assize Court includes the name of the defendant, his surname, age, place of birth, place of residence, profession, crime of which he is defendant, with all groundwork constituting it, defense, extenuating and aggravating circumstances of the penalty, and Articles of the Law that is applied.

With the order of referral is enclosed a register of the statements of the witness and other evidences.

The Public Prosecution notifies the defendant of the said order within the ten days following its issuance.

Article (152)

If a defendant has committed a number of related crimes within the jurisdiction of courts of similar jurisdiction, all these crimes are referred pursuant to a single referral order to the court with proper venue for one of these crimes. If the crimes are within the jurisdictions of courts of different jurisdictions, they are referred to the court of higher jurisdiction.

Article (153)

The Public Prosecution submits the file of the action to the competent court clerk's office upon the issuance of the referral order.

Article (154)

If something occurs requiring supplementary investigations, following the issuance of the order of referral, the Public prosecution proceeds with these investigations and submit the report to the court.

Article (155)

Except for border-related crimes, the Public Prosecutor may at any time, following the referral of the criminal action and prior to rendering the final judgment, leave the criminal action.

The victim or the person damaged from the crime, if any, is notified of the decision to leave the action. In this case, the action shall only be proved by his approval.

Article (156)

The defendant put under preventive detention is released providing that the issued order of referral, to the competent court, does not specify the continuation of his detention.

PART 4 - APPEALING THE PREVENTIVE DETENTION ORDERS

Article (157)

In offences and infractions, the Public prosecution may appeal the judge's order to release the defendant put under preventive detention.

The release order is implemented after the end of the appeal date.

The defendant or his representative may appeal the order of preventive detention issued against him.

Article (158)

The appeal provided by the previous Article is made by a report to the competent Appellate Court clerk's office and is submitted to it.

The appeal date is within twenty-four hours starting the time of issuance of the order.

Article (159)

The clerk's office determines the date of the hearing in the appeal report, and this date is within three days starting the date of issuance of the order.

Article (160)

The Appellate Court considers the appeal requests pertaining to detention or release orders in private and in the presence of the Public Prosecution and the defendant.

The Appellate Court may consider them in days different from specified days and in a place different from the court whenever is considered necessary.

Article (161)

The Appellate Court, upon considering the appeal lodged against the order to release the defendant put under preventive detention, may order to prolong his detention, and if it does not decide as to the appeal within three days of the date of the specified hearing to consider it, the order of release is implemented instantly.

PART 2 - TRIAL

SECTION 1 - JURISDICTIONS

CHAPTER 1 - CRIMINAL JURISDICTIONS

Article (162)

The Court of First Instance, formed by three judges of its members, have jurisdiction over offences referred to it by the Public Prosecution, as well as offences committed by newspapers, and other crimes being within its jurisdiction as provided by the Law, and formed by a unique judge. It also have jurisdiction over all offences and infractions, except over offences committed by newspapers, and it is referred to it as the misdemeanors court in the Law herein.

Article (163)

If the misdemeanors court considers the crime referred to it falling outside its jurisdiction, it judges not having jurisdiction over it and resubmit the documentation to the Public Prosecution to decide as to the crime.

Article (164)

Venue is determined by the place of commission of the crime, the place where the defendant resides or by the place where he is arrested.

Article (165)

In case of an attempt, the crime is considered committed wherever any of the acts were started to be committed, and in case of continuous crimes, it is considered as a place of a crime, any place where there is a state of continuousness, and in case of customary and successive crimes, it is considered as a place of a crime, any place where any of the acts constituting that crime have been committed.

Article (166)

If one or more defendants were referred in respect of a single crime or several related crimes under one investigation, or in respect of numerous crimes to

more than one court, and all courts have assumed jurisdiction, the first court to which the action was referred assumes jurisdiction.

CHAPTER 2 - JURISDICTIONS PERTAINING TO MATTERS ON WHICH IS CONTINGENT THE JUDGMENT OF THE CRIMINAL ACTION

Article (167)

The Assize Court have jurisdiction over matters on which the judgment of the criminal action filed before it is contingent, unless stipulated otherwise by the Law.

Article (168)

If a judgment in a criminal action is contingent on the outcome of a judgment in another criminal action, the procedures of the first are stayed pending until decision is taken concerning the other action.

Article (169)

If a judgment in a criminal action is contingent on the outcome of a judgment in a question related to the personal status, the Assize Court stays the action and indicates to the defendant, the victim, or the claimant in respect of civil rights, a period to refer the said question to the competent judicial party.

The stay of the action shall not prohibit form undertaking the necessary and urgent procedures and investigations.

Article (170)

If the period mentioned in the previous Article passes and the action was not lodged to the competent judicial party, the court may retract the stay of the action and decide about it, it may also specify to the litigant another period if it sees acceptable reasons that justifies it.

Article (171)

While deciding in non-criminal questions, Assize Courts, according to the criminal action, follow the evidentiary fact-findings provided in the Law pertaining to such questions.

CHAPTER 3 - CONFLICT OF JURISDICTION

Article (172)

If two final judgments were issued assuming or not assuming jurisdiction of a single crime, the petition for specifying the court to adjudicate is made to the Court of Cassation.

Article (173)

The Public Prosecution and the defendant may submit a request to designate a competent court through a petition along with documentations supporting this request.

The Court of Cassation orders within twenty-four hours of the submission of the request to deposit the documentations in the clerk's office.

The clerk's office notifies the other litigant of this deposition within the three days following it so that he peruses it.

The order of deposition implies the stopping of the action procedures for which the request was submitted unless stipulated otherwise by the Court of Cassation.

Article (174)

The Court of Cassation designates the court of competent jurisdiction, and decides as to the procedures and provisions issued by the other court which jurisdiction was nullified.

SECTION 2 - TRIAL PROCEDURES

CHAPTER 1 - GENERAL PROVISIONS

PART 1 - SUMMONS TO LITIGANTS

Article (175)

The action is referred to the competent Assize Court in virtue of an order of referral issued by the Public Prosecution; the defendant is summoned to appear before that court.

Article (176)

Summoning the defendant to the Court is made three days prior to the hearing as to offences or infractions, and eight days as to crimes, added to them the period spent on the distance.

In the summons document, is noted the accusation, articles of the Law in which the penalty is provided, and place and date of the trial. In case of flagrante delicto

summons take place without a specific date.
If the defendant appears without a legal notification and requests a date to prepare his defense, the Court may give him a period that is not less than the one mentioned in the first paragraph of this Article.

Article (177)

The summons documentation is submitted to the defendant, in his place of residence in Qatar, or in his work place, in ways determined in the Civil and Commercial Procedure Code.
The summons may be notified by any of the public authority officers.
If the serious search does not lead to the place of residency of the defendant or his place of work, the notification is submitted to the police station of the last place in which he lived in Qatar.
The scene of the crime is considered as the last place in which he lived, unless it was otherwise proved.

Article (178)

The notification of officers, noncommissioned officers, and soldiers in the armed forces is made to them in person or to the competent authority in the armed forces.
The notification of prisoners is made to detention center officer.
Whoever receives the copy of the notification, in the mentioned two cases, has to sign the original, and if he abstains from receiving and signing, the copy is submitted to the Public prosecution which will submit it to him or to the one who is requested to receive the notification in person.

PART 2 - APPEARANCE OF LITIGANTS

Article (179)

In a crime or misdemeanor sentenced to imprisonment that should be implemented directly upon issuance of the judgment as provided by the law, the defendant appears personally before the court.
As to other offences and infractions, he may be represented before the court of First Instance by an attorney for his defense without prejudice to the right of the court to order his personal appearance.
In all cases, whoever may appear before the court and justify the excuse of the defendant for his absence, Thus, if the court sees the excuse as acceptable, it specifies a date for the personal appearance of the defendant and notifies him.

Article (180)

If the defendant who has been duly summoned fails to appear on the day specified in the summon document and did not send an attorney to represent him where such representation is permissible, the Court renders the judgment in his absence, after considering the documentations. In the event the summon was delivered to him personally and the court finds no excuse for his fail to appear, the judgment is considered in presence.

Instead of rendering its judgment in absentia, the court may adjourn the action to the following hearing and order the defendant to be notified again and to be warned that if he fails to appear in this hearing, the rendered judgment is considered in presence.

Article (181)

The judgment is considered in presence for whoever appears from the defendants upon the call for an action even if they leave afterwards or abstain from appearing in hearings adjourning the action without submitting an acceptable excuse.

Article (182)

If an action is initiated against several defendants with respect to one incident, and some of them fail to appear in spite of being summoned, the court adjourn the action to the following hearing and order the defendants to be notified again and to be warned that if they fail to appear in this hearing, the rendered judgment is considered in presence.

If they fail to appear and do not submit an acceptable excuse, the judgment is considered in presence as far as they are concerned.

Article (183)

In the cases of judgment in presence, the court shall investigate the action as if the defendant was present.

Article (184)

If the defendant in absentia appears before the end of the hearing in which the judgment was rendered, the court reconsiders the action in his presence.

PART 3 - ORDER DURING HEARINGS

Article (185)

Order and control over court hearing are vested with its chairperson who, given due consideration to provisions of the law of the legal practice, is entitled to

remove anyone who disturbs the hearing from the courtroom. If this person fails to abide by the court's order, the court may instantly sentence him, after hearing his statements, to imprisonment for a period of twenty-four hours or for a fine of one thousand Riyals, and this decision is final. The court may, at any time before the end of the hearing, retract that decision.

Article (186)

Exception from the provisions of the previous Article, if the attorney, while exercising his duty, causes or leads to a disturbance of the hearing, or commits whatever implies blaming him legally or disciplinarily, the chief of the hearing draft a minute concerning the incident, and the court may decide to refer the attorney to the party having jurisdiction to impeach attorneys disciplinarily, or to the Public Prosecution to investigate whether the incident gives cause to blame him disciplinarily.

In this case, the chief of the hearing in which the crime was committed or any of its members not be a member in the jury perusing the action.

PART 4 - DELIBERATION OF ACTION AND PROCEDURES OF HEARINGS

Article (187)

A court hearing is public, unless provided otherwise by the law or considered by the Court or upon the request of any of the litigants that it should be a closed hearing to preserve the public order or with respect to the decency or the dignity of the family, and the court may organize the appearance in the hearing if necessary.

The media shall not perform any task in the hearing, unless following an authorization by its chairperson.

Article (188)

Assize court hearings are attended by a member of the Public Prosecution, and the court hears his statements and decides as to his requests.

Article (189)

No physical restraints are placed on the defendant during court hearings. He shall not be sufficiently guarded and dismissed from any hearing during the deliberation of action unless he causes a breach of order in the hearing. In that case, the preceding continues and the defendant may be admitted to the hearing, the court keeps him informed of any procedures that have been taken during his absence.

Article (190)

The investigation in the hearing starts by calling litigants, witnesses, and experts, and the defendant is asked about his name, family name, profession, nationality, place of residence, and place of birth, the offense of which he is charged is read to him then the Public Prosecution submits its claims. The court then asks the defendant if he has committed the act of which he is charged, if he confesses the court may be satisfied with his confession and may judge him without hearing witnesses, or it may hear the statements of prosecution witnesses, if the crime is not sentenced to death penalty, in which case the court has to continue the investigations.

The prosecution witnesses are questioned first by the Public Prosecution, then by the victim, then by the claimant in respect of civil rights, then by the defendant, and the Public Prosecution may examine witnesses a second time to clarify facts of which they testified in their answers.

Article (191)

After hearing prosecution witnesses, the court hears defense witnesses and questions them first with the knowledge of the defendant, then with the knowledge of the Public Prosecution, then that of the defendant, then that of the claimant in respect of civil rights.

The defendant may question witnesses a second time to clarify facts of which they testified in their answers.

Any litigant may claim to hear a second time the said witnesses to clarify or investigate facts of which they testified, or may claim to hear other witnesses for this purpose.

Article (192)

After proving the attendance of witnesses, they are retained in their special room from which they get out successively to testify before the court, and the witness whose testimony was heard stays in the courtroom until the end of the hearing, if he wasn't authorized by the court to leave. When necessary, a witness may be taken away while hearing the statements of another witness, and witnesses may have a confrontation against each other.

Article (193)

The court may, at any stage of the procedures, question the witnesses about what may serve to determine the truth, or may allow litigants to do so.

The court may refuse to hear statements of witnesses about facts that are considered clear.

It prohibits from directing questions to the witnesses that are not related to the action, or that are unacceptable, and refuse any act or saying or sign intended to confuse or intimidate the witness.

Article (194)

The court shall not question the witness unless he accepts to be questioned after consulting his attorney, if any.

During the hearing, if it appears to the court that there are facts that should be clarified by the defendant to serve determining the truth, it notifies him about them, and authorizes him to make these clarifications.

If the defendant refuses to respond, or if his statements in the hearing conflict with his statements in the minutes of evidentiary fact-finding, or with the investigation the court may pronounce to read his previous statements.

Article (195)

After hearing the testimony of prosecution witnesses and defense witnesses, the Public Prosecution, the defendant, and any of the other litigants may speak.

In all cases, the defendant is the last one to speak.

The court may preclude defendants, their defendants, other litigants, witnesses, and experts from talking at great length, if their statements are irrelevant or repetitive.

The court orders the end of pleadings in the action, and passes its judgment after the deliberations.

Article (196)

A minute is drafted on the hearings in the courtroom, and the chairperson of the court and the clerk signs every page thereof. The minute includes the name of the court, place and time of the hearing and whether it was public or confidential, names of judges, present member of the Public Prosecution, and the clerk, names of the defendant and their advocates, names of witnesses, their statements and claims, statements of litigants, submitted documentations, any action taken along with claims made during the hearing, decisions as to primary and secondary matters, texts of judgments, and other procedures taken during the hearing.

PART 5 - WITNESSES AND OTHER EVIDENCES

Article (197)

Witnesses are summoned to appear, following the claim of litigants, by one of the public authority officers three days prior to the hearing, the witness may appear in the hearing without notification following the claim of litigants.

During the hearing, the court may call and hear the statements of any person by summoning him, if he fails to appear it may order the defendant to be notified to appear in another hearing, or it may issue a warrant to arrest him and bring him before the court.

The court may also hear any person who, on his own accord, appears before it to give information about the action, a note to that effect is entered into the minute.

Article (198)

Any litigant may oppose the hearing of testimony of witnesses whom he was not notified about their names.

Article (199)

If a witness is sick or unable to appear before the court for any other excuse, the court hears his testimony at the place where he is available or appoints any of its members to hear his testimony in the presence of the Public Prosecution, the defendant and the other litigants.

If the court finds out the untruthfulness of the excuse, it may, following the statement of the Public Prosecution, punish the witness according to the sentence provided by the Article (179) of the Penal Code.

Article (200)

If the witness fails to appear before the court, after being notified in virtue of the Law, it may adjourn the action to summon him again, or it may issue a warrant to arrest him and bring him
before the Court.

If he fails to appear before the court for the second time or fails to take the oath or testify without an acceptable excuse, the court may, after hearing the statement of the Public Prosecution, apply against him the sentence provided by the Article (179) of the Penal Code.

Article (201)

The court may decide to read the testimony made in the primary investigation, or the evidentiary fact-finding minute, or before the expert if it fails to hear the witness, for any reason, or if the Public Prosecution, the defendant, his attorney, if any, and the claimant in respect of civil rights authorize it.

Article (202)

If the witness decides that he does not remember any of the acts, or if his testimony during the hearing contradicts with his previous testimony or statements, a part of his testimony made during the investigation or statements made in the evidentiary fact-finding minute related to this act may be read.

Article (203)

Provisions pertaining to witnesses before the Public Prosecution are applied when there are no provisions provided by the section herein.

Article (204)

The court may order, even if of its own accord, during the hearing, to present any evidence that may serve in determining the truth.

Article (205)

The court may, whether of its own accord or pursuant to a request by the litigants, appoint an expert in the action, and if it is considered necessary to appoint an experts committee, the number of experts is odd.

The court may, whether of its own accord or pursuant to a request by the litigants, order to notify the experts to present clarifications in the hearing about reports they submitted in the primary investigation or before the court.

If it was not possible to investigate the evidence before the court, it may start investigating it or may appoint one of its members to do so.

The court shall not appoint the Public Prosecution to investigate any evidence.

PART 6 - FORGERY AS SUBSIDIARY ACTION

Article (206)

The Public Prosecution, the defendant, the victim and the claimant in respect of civil rights may, at any stage of the action, contest any documentation of the action as being forged.

The contestation of the forgery is done by reporting it in the hearing minute, in which is specified the contested document for forgery along with the forgery evidence.

The victim and the claimant in respect of civil rights are considered, as to the contestation of the forgery, litigants in the action.

Article (207)

If the trial court has reason to believe that the judgment on the case in issue is contingent on the contested documents and that there is a prima facie case of forgery, it refers the relevant documents to the Public Prosecution and stays the action until a decision is issued on the forgery action.

If the decision on the forgery action is within the province of its competence, it may realize the contestation and decide of the validity of the document.

This court may also fine the plaintiff to pay one thousand Riyals if it is decided that there is no forgery.

Article (208)

If it is decided that all or part of an official document has been forged, the court that has passed such decision order such document excluded or corrected, as

the case may be. A note to that effect is entered into the minute and the forged document be marked accordingly.

PART 7 - DEFENDANT SUFFERING MENTAL ILLNESS OR PSYCHOLOGICAL DISORDER

Article (209)

If it is considered necessary to examine the state of a defendant suffering a mental illness or a serious psychological disorder, the Public Prosecution or the trial court may order to put him under surveillance in a special hospital, for consecutive periods, each of them not exceeding fifteen days, and their total not exceeding forty-five days after hearing the statements of the Public Prosecution and the attorney of the defendant.

Article (210)

If it was established that the defendant is unable to defend himself because of a mental illness or a serious psychological disorder that intervened after the commission of the crime, filing the action and the trial is stopped until that reason disappears, in this case, the defendant is put under surveillance in a special hospital according to the periods provided in the previous Article, following an order by the Public Prosecution or the trial court as the case may be.

Article (211)

The period spent by the defendant in the special hospital, according to the two previous Articles, is deducted from the term of the sentence or the measures of which he is sentenced.

Article (212)

In case of nolle prosequi, or in case the defendant was declared innocent, because of a mental illness or a serious psychological disorder, the party that issued the order or the judgment order the defendant to be put under surveillance in a special hospital until it decides to release him following medical reports.

PART 8 - PROTECTION OF YOUNG VICTIMS OR VICTIMS SUFFERING MENTAL ILLNESS

Article (213)

If necessary, when any crime is committed against a child who has not attained sixteen years old, he may be ordered to be put under the custody of a trustable person, who is committed to observe and protect him, or under the custody of an officially known custody party, until a decision is taken as to the action, an order to that effect is issued by the Public Prosecution or by the Court that is considering the action, by its own will, or upon request of the Public Prosecution.

If the crime is committed against a person suffering a mental illness, the Public Prosecution or the Court that is considering the action may issue an order to put him temporarily in a hospital, or to put him under the custody of a trustable person, as the cases may be, until a decision is taken as to the action.

PART 9 - THE INCOMPETENCE OF THE JUDGE TO CONSIDER THE ACTION, HIS DISMISSAL AND REFUSAL

Article (214)

A judge is precluded to participate in the trial of the case if the crime has been committed against him in person, or if he had participated in any of the investigation procedures of the action, or in the referral, accusation, defense of any of the litigants, or if he has testified in it, or assumed any act of experts.

A judge also be precluded to participate in the trial of the case if he is a relative of any of the litigants or witnesses or has a relation of a fourth grade affinity with them.

A judge also be precluded to participate in the judgment of a contestation, if the contestation was made against a judgment that he has rendered.

Article (215)

Litigants may dismiss judges in the cases stated in the previous Article, and in all dismissal cases provided for by the Civil and Commercial Procedures Law.

The defendant and the claimant in respect of civil rights is considered, as to the request of dismissal, litigants in the action.

Article (216)

If a critical situation abstains the judge from trying the case, his refusal is considered by the department, or the Chief of the Court to which he is connected, as the cases may be, so that a decision is taken.

Article (217)

Given due notice to the foregoing provisions, provisions and procedures provided by the Civil and Commercial Procedures Law are applied to the non-co petence of the judge, his dismissal, and his refusal.

Article (218)

Members of the Public Prosecution shall not be dismissed for any reason whatsoever.

CHAPTER 2 - ASSIZE COURTS

Article (219)

In every Court of First Instance, one department or more is established to consider criminal actions and formed of three judges from its members; it is referred to in this law by the assize Court.

Article (220)

The Chief of the Court of First Instance, upon receipt of the file of the case, fixes the day of the trial, and sends copies of the files of the cases to the competent judges to consider them.

He shall order to notify the defendant and the witnesses of the day of the trial, and the Public Prosecution is in charge of summoning them to appear before the Court.

Article (221)

Each defendant of a crime has a defending counsel, and in case the defendant does not appoint an attorney, the Court appoints a counsel to defend him.

Article (222)

The appointed counsel for the defense or the counsel retained by the defendant shall defend the latter during the hearing or designate someone to represent him, or else he will be punished by the Assize Court to the payment of a fine that do not exceed one thousand Riyals without prejudice to the disciplinary trial.

The Court may exempt him from paying the fine if it was proved that he it was not possible for him to appear in the hearing or to appoint someone else to represent him.

Article (223)

The appointed counsel may ask for a compensation for his effort, and this compensation is determined by the Assize Court, it not be contested in anyway, and the estimated amount is paid from the financial credit assigned for this purpose by the Courts budget, providing that it is collected from the defendant upon his ability to pay.

Article (224)

The Assize Court, in all cases, may order the defendant to be arrested and brought before it, or to be put in precautionary detention, or to release the defendant put in precautionary detention with or without a bail. If any important reasons recommended the postponing of the case's trial, the postponement shall be set for a specific day.

Article (225)

If a misdemeanor that is connected to a crime was referred to the Assize Court, and the Assize Court sees there is no ground of this connection, before investigating it, it may separate the misdemeanor and refer it to the competent Assize Court.

Article (226)

If the Assize Court sees that the act as shown in the referral order, and before being investigated in the hearing, as a misdemeanor, it renders the judgment for lack of jurisdiction and refers it to the misdemeanors court. If it sees so after the investigation, it renders its judgment.

Article (227)

All provisions provided by chapter one of section two of book two of the Law hereof is applied before the Assize Court.

Article (228)

If the defendant lives outside the State, he is notified of the referral order and of the summons document in his residency if it was a known place, at least one month prior to the fixed trial date in addition to the time required for the distance, if he fails to appear after the notification, he may be judged in absentia.

Article (229)

The judgment rendered in absentia by the Assize court as to a crime ceases to be valid when the fixed period of the abolishment of the sentence ends.

SECTION 3 - THE JUDGMENT
CHAPTER I - PRONOUNCEMENT OF JUDGMENT

Article (230)
The Court shall not abide by the notes of the primary investigation or the minutes of evidentiary fact-findings unless stipulated otherwise by the law.

Article (231)
The Court abides by the notes of minutes issued as to infraction actions, pertaining to facts proved by the competent investigation officers, until they are contradicted by other proofs.

Article (232)
The Judge renders his judgment as to the action freely, however, he shall not base his judgment on any evidence that was not presented in the hearing or that was concluded illegally.
Any statement given by any of the defendant or witnesses in a coercive state or under threatening shall not be relied upon.

Article (233)
The judgment is rendered in an open hearing even if the trial was confidential, and a note to that effect is entered into the minute of the hearing and it is signed by the Chief of the hearing and the clerk.
The Court may order to take the necessary measures to prohibit the defendant from leaving the courtroom before the pronouncement of the judgment or to make sure he appears in the hearing to which the judgment is adjourned, to that effect, it may imprison him if the act may be punished by the precautionary imprisonment.

Article (234)
If the incident is not proved or is not punished by the law, the Court declares the defendant innocent of this incident only and releases him if he was imprisoned or sentenced to a custodial penalty because of a certain procedure.
If the incident was proven, and is punished, the Court punishes the defendant with the penalty and/or the procedure in accordance with the provisions provided by the Law hereof.

Article (235)
The defendant shall not be punished for an incident that is different from the one figuring in the referral request or in the summons, and only the defendant against whom the action is filed is judged.

Article (236)

The Court pronounces in its judgment the exact legal description of the incident of which the defendant is charged, it also modify the accusation, adding the aggravated circumstances, in accordance with what was proven in the investigation or from the trial.

The Court notifies the defendant of this change or modification, and gives him a period to prepare his defense if he requests so. The Court also corrects any material error and set right any inadvertence in the accusation text in the referral request or in the summons.

Article (237)

The hearing minute and the judgment complete each other to prove the trial procedures and the data of the judgment preamble other than its date.

Article (238)

The judgment includes the reasons on which it was based, and every conviction judgment includes the statement of the incident that is punished or subjected to procedures, situations in which it took place, evidences from which the Court gave a conviction judgment, and the adopted text of the law for the judgment.

Article (239)

The court shall decide as to all requests and defenses submitted by the litigants, and shall indicate the reasons on which its decisions are based.

Article (240)

Judgments are issued by the majority of opinions, except for the judgment of the death penalty which is issued unanimously and in case of its non-implementation; the death penalty is replaced by the imprisonment for life penalty.

Giving opinions starts with the newest judge, to the oldest, to the Chief of the hearing.

Article (241)

The judgment along with all its reasons is completely issued within eight days starting the day it was issued, and is signed by the Chief of the department that issued it and its clerk, if the Chief fails to sign it for any reason, it is signed by any of the judges who participated in issuing it, and if the judgment was issued by the misdemeanors court, and the judge that issued it has drawn the reasons by writing, the Chief of the First Instance Court may sign the original copy of the judgment, or may appoint one of the judges to sign it, if the reasons were not written by the judge personally, the judgment is nullified.

The judgment, except the judgment of innocence, is nullified if fifteen days passed starting the date of issuance without being submitted and signed.

The clerk's office gives the concerned person, upon his request, a certificate certifying that the judgment was not submitted and signed on the time determined in the previous paragraph.

CHAPTER 2 - CORRECTION OF JUDGMENTS AND DECISIONS

Article (242)

If a material mistake takes place in a judgment or a decision, and does not imply the invalidity of the judgment, the department that rendered the judgment or the decision is in charge of correcting this mistake of its own will or following the request of any of the litigants after summoning them.

Correction is made without a pleading after hearing the litigants, and the clarification is noted on the margin of the judgment or the decision.

This measure is adopted to correct the name and surname of the defendant.

The decision of correction may be contested, if the department that issued it exceeded its authorities in correcting it, using the contesting method that is possible in the judgment that is submitted to correction.

The decision of non-correction may not be contested independently.

CHAPTER 3 - EXPENSES

Article (243)

Any defendant convicted with a crime may be obliged to pay all or part of the expenses.

If the defendant was not bound to pay all expenses, it is determined in the judgment the amount that he pays.

Article (244)

If it was judged in the appeal to support the primary judgment, the appellant defendant may be obliged to pay all or part of the appeal expenses.

Article (245)

The Court of Cassation may sentence the defendant to pay all or part of the contestation expenses if his contestation was refused, descended or rejected.

Article (246)

If many defendants were sentenced to the same sentence in one crime, whether

they committed the crime or were partners in it, the amounts bound to be paid is divided equally among them, unless stipulated otherwise by the judgment, or they are bound to pay them collectively.

SECTION 4 - CRIMINAL ORDERS

Article (247)

If the Public Prosecution, as to offences that are not sentenced to imprisonment according to the Law, considers that the conditions of the crime require only the fine payment penalty in addition to supplementary penalties and expenses, it may request the judge of the misdemeanors court which has the jurisdiction to review the case, to sign the penalty against the defendant through a criminal order issued upon request following minutes of evidentiary fact-findings or other proofs without investigation or hearing a pleading.

Article (248)

The criminal order decides only as to the fine rate not exceeding half of the maximum limit of the fine penalty determined for the crime, supplementary penalties, or expenses.

The criminal order may decide the innocence or the stay of the enforcement of the penalty.

Article (249)

If the judge considers it impossible to decide of the crime in its state, or without an investigation or a pleading, or that the incident in its circumstances requires a penalty more aggravated than the fine, he may refuse to issue the order.

The judge issues his refusal order by writing, the said judgment not be appealed and it not be possible to request the issuance of a new order.

Article (250)

The Chief of the Prosecution or the Prosecution attorney issue the criminal order as to offences that are not sentenced to imprisonment or to the payment of a fine which minimum limit exceeds one thousand Riyals, and the order is issued as to the fine that does not exceed one thousand Riyals, supplementary penalties, and expenses.

The criminal order is obligatory as to infractions, in this case it shall not be ordered more than half of the maximum limit of the fine penalty determined for the crime, supplementary penalties, or expenses.

The Public Prosecutor, the attorney general, and the Chief of the Prosecution, as the cases may be, cancel the criminal order because of a mistake in the enforce-

ment of the law, within ten days of its issuance, which implies to consider the order as if it was not issued.

Article (251)

The order contains, in addition to its decisions, the name of the defendant and the incident because of which he was punished, and the adopted text of the law.
The defendant is notified of the order on the specimen determined by the Public Prosecutor.
The notification may take place through an officer of the public authority.

Article (252)

The Public Prosecution may object the criminal order of innocence issued by the judge, or the mistake in the enforcement of the law.
The person against whom the order was issued may appeal if it was issued by the judge of a fine that exceeds five hundred Riyals and expenses, or by the Public Prosecution of a fine that exceeds three hundred Riyals and expenses. The objection is done through a report in the court clerk's office within three days starting the date the order was issued considering the Public Prosecution, and starting the date of notification considering the defendant.
The clerk determines in the objection report the day during which the hearing takes place, and warns the objector of appearing on the said day, and the Public Prosecution summons the witnesses on the said date, subject to the determined dates of summons.
When an objection has been filed, the criminal order is nullified and considered as if it was not issued.
If no objection is made on the criminal order, it becomes final and enforceable, and the criminal action descends.

Article (253)

If the defendant who objected the criminal order appears in the determined hearing, the hearing takes place following the normal procedures.
The court, within the limits of the determined punishment, may sentence the defendant to pay a punishment more aggravated than the fine decided by the criminal order.
If the defendant fails to appear, the criminal order is applicable, final and enforceable, and the criminal action descends.

Article (254)

If a criminal order was issued against various defendants who object it, and some of them appear in the determined hearing day, while others do not, the hearing takes place following the normal procedures for the defendant that appeared, the order becomes final and enforceable to those who did not appear.

Article (255)

If the defendant claims upon enforcement of the order that his right for objection is still applicable because he was not notified about it, or for any other reason, or that he couldn't appear in the determined hearing for an unavoidable reason, or if any other complication occurs in the enforcement, the complication is submitted to the competent judge so that he decides about it without a pleading. If he considers it impossible to decide about it in its state or without an investigation or a pleading, he fixes a date to decide about it, following the normal procedures, and he summons the defendant to appear on the said date, if he accepts the complication, the trial is instituted in accordance with the text of Article (255) of the law hereof.

SECTION 5 - INVALIDITY

Article (256)

The procedure is invalid if the Law provided its invalidity expressly or if the invalidity is attributable to a defect in the procedures.

The procedure shall not be held invalid, even if provided for by the Law, if the purpose was proved to be realized from the required procedure.

Article (257)

If the invalidity is resulting from the non-observance of provisions of the law pertaining to the formation of the Court, to its rule in the trial, or to its jurisdiction, or for any other reason related to the public order, it may be invocated at any stage of the procedures, and it is ordered by the Court of its own will.

Article (258)

In cases of invalidity other than those related to the public order, only the beneficiary shall invocate the invalidity, unless he caused it, and the invalidity descends if it was discharged by the beneficiary expressly or implicitly.

Article (259)

In cases of invalidity other than those related to the public order, the right to thrust the invalidity of primary investigation procedures descends, or the action investigation, as to the defendant if he has an attorney and the procedure took place in his presence without objecting, and the right to thrust the invalidity descends as to the Public Prosecution if it does not invocate to it at that time.

Article (260)

If the defendant appears in the hearing personally or represented by an attorney-

at-law, he not invocate the invalidity of the summons paper, and may request the correction of the summons or the supply of any lack in it, and the appointment of a period to prepare his defense before the start of the hearing. The Court answers his request.

Article (261)

The invalid procedure may be corrected even if following the invocation of the invalidity, providing that this takes place on the legally fixed period to undertake the procedure, and if the hearing has no legally fixed period, the Court fixes a convenient period to correct it, and the procedure is acknowledged after the date of the correction.

Article (262)

If the procedure is invalid, and elements of another procedure are available in it, it is correct as it is the procedure in which the elements were available, and if it is invalid in a part of it, only the said part is invalidated.

The invalidity of the procedure shall not imply the invalidity of previous or future procedures, if they are not directly relying upon it.

SECTION 6 - CONTESTATION OF JUDGMENTS

Article (263)

If a judgment is issued as to merits of a criminal action, it not be reheard unless through contestation of the said judgment in methods provided for by the law hereof.

CHAPTER I - OBJECTION

Article (264)

Judgments in absentia issued as to infractions and offences may be objected by the convicted within seven days of the notification of the convicted in person of the judgment, in addition to the period spent for the distance, and when the notification is not done in person, the objection term starts by the date it is proved that he was notified.

The said term starts as to judgments in absentia issued as to crimes by the date of arrest of the convicted if he was not notified by person, and the term starts for the convicted fleeing from the country by the date he is notified in his last known country.

If the objection term ends, without an objection filed by the convicted, the judgment not be objected unless in appealing in cases where it is possible.

Article (265)

In cases when the judgment is considered in presence, the objection is not accepted, unless the convicted proves that he has an excuse for his absence and that he could not submit it prior to the judgment, and its appeal was impossible.

Article (266)

Objection is made by a report in the court clerk's office that rendered the judgment, in which is determined the date of the objection and the date of the hearing, this is considered as a notification even if the report is made by an attorney, and the report is signed by the objector or his attorney and by the court clerk's office.

The Public Prosecution notifies the witnesses of the said hearing.

If the convicted is imprisoned, the administration of the detention center authorizes him to appeal, and the objection takes place on the determined time, before the said administration, within seven days starting the notification of the imprisoned in person. The administration of the detention center where he is imprisoned submits a report to the competent court clerk's office urgently, and summons the objector to the determined hearing to decide as to objection if he remains imprisoned.

Article (267)

The objection implies the re-peruse of the action as to the objector, before the court that rendered the judgment in absentia.

If the objector fails to appear for an unacceptable reason, in any of the determined hearings of the trial, the court considers the objection as if it was not made.

Article (268)

The court may refuse the objection in form if it is made after the legally fixed date, or was filed by someone who has no capacity, or if it has an essential defect in form, even if the reason of the refusal was clarified to it after starting perusing the objection.

Article (269)

In cases where the objection is accepted in form, the court hears the defense and claims of the objector and the statements of the Public Prosecutor, and whoever is considered necessary among witnesses, it also takes the necessary investigation procedures, and then pronounces its judgment as to the action.

Article (270)

The court may support or cancel the judgment in absentia and declares the objector innocent, or modifies the judgment and attenuates its penalty.

Article (271)

The judgment issued in the objection shall not be objected.

CHAPTER 2 - APPEAL

Article (272)

The Public Prosecution and the convicted appeal judgments pronounced by the misdemeanors courts and the Assize Courts, and appealing judgments of the offences court occurs before one of the departments of the first Instance Court in the capacity of the Appellate Court, and appealing judgments of the Assize Court occurs before the Appellate Court.

Appealing the judgment does not lead to the stay of execution of this judgment, unless the court that issued it decides so, according to the conditions it puts.

Article (273)

The Public Prosecution lodges the judgment rendered in presence of the penalty of death to the Appellate Court, along with a memorandum of its opinion pertaining to the judgment, within thirty days of its date of issuance, the stay of its execution remains until a decision is taken as to the appeal, the clerk's office of the Assize Court that rendered the judgment send the file of the action to the clerk's office of the Appellate Court, within three days from the date of depositing the reasons of the judgment.

Article (274)

The judgment rendered as to related crimes that cannot be separated may be appealed even if the appeal is possible only to some of these crimes.

Article (275)

The judgments rendered before a decision is taken for the merits not be appealed, unless the procedure of the action or its stay is based on them, and appealing the judgment rendered as to merits implies appealing these judgments.

The judgment rendered as to competence may be appealed, and in this case, the appeal implies the stay of the procedure of the action until a decision is taken as to the appeal.

Article (276)

The appeal is filed by a report in the court clerk's office that rendered the judgment within fifteen days starting the date the judgment in presence or in absentia was rendered, or the date the judgment was rendered as to the objection in cases when it is possible, added to it the time spent on the distance.

The appeal date as to the Public Prosecution is thirty days following the date the judgment is rendered.

If the convicted is imprisoned, his appeal report may be submitted to the detention center officer who submits the appeal report to the court immediately. The appeal is submitted on the date determined in the detention center administration, as indicated in the first paragraph.

Article (277)

In cases where the judgment is considered in presence, the appeal term starts as to the convicted, from the date he is legally notified.

Article (278)

The Appellate Court may release the convicted, against any recognizance, until a decision is taken as to the appeal.

Article (279)

The clerk's office refers the appeal report along with the file of the action to the competent Appellate Court, within a maximum of three days of its date. The Chief of the Court, upon receipt of the aforementioned report and file, orders to determine the date of the hearing to decide as to the appeal.

The clerk's office, by his own will, notifies the appellant and the respondent of the date of the hearing and of a copy of the appeal report.

If the convicted is imprisoned, the Public Prosecution refers him on time to the Appellate Court, which decides as to the appeal urgently.

Article (280)

The Court orders the refusal of the appeal in form if it is filed after the legally fixed date, or by someone who has no capacity, or if it has an essential defect in form, even if the reason of the refusal was clarified to it after starting perusing the appeal.

Article (281)

In cases where the appeal is accepted in form, the court hears the defense and claims of the appellant, grounds of the appeal, and the statements of the representative of the Public Prosecution; the defendant is the last one to speak. Thus, the court pronounces its judgment after perusing the documentations.

Article (282)

The appeal filed by the convicted sentenced to an enforceable custodial penalty descends if it was not submitted to be enforced before the fixed hearing of appeal.

Article (283)

The Appellate Court shall hold the hearings, or designates any of its judges to hear witnesses that should have been heard before the Court of First Instance, and supplies any lack in the investigation procedures.

In all cases, it may order what is considered necessary for the investigation and hearing of witnesses.

No witness is summoned unless ordered by the court.

Article (284)

When the appeal is filed by the Public Prosecution and the Appellate Court finds that the incident judged as a misdemeanor is considered a crime, the Appellate Court orders the cancellation of the judgment and refers the action again to the Public Prosecution to peruse it and take the necessary procedures.

Article (285)

When the appeal is filed by the Public Prosecution, the court may support, amend, or cancel the judgment whether for the benefit of the convicted or against him, however, the judgment of innocence not be cancelled unless by the unanimous opinions of the members of the Court.

Article (286)

If a first degree court rendered a merit and the Appellate Court considered the judgment invalid or the invalidity in the procedures affected the judgment, it shall order the cancellation of the judgment and render the action.

If the Court of First Instance renders a non-competency judgment, or an acceptance of the raised sub-plea that results a progress prohibition of the lawsuit and the Appellate Court ruled to recall of the judgment, and the competence of the Court or the rejection of the raised sub- plea and to consider the lawsuit, so it shall return the suit to the Court of First Instance to decide on its merits.

The general prosecution shall notice the accused persons.

Article (287)

The procedures of the Court of First Instance are applied as to judgments in absentia and objected judgments before the Appellate Court

CHAPTER 3 - CASSATION

Article (288)

The Public Prosecution and the convicted may file a contestation to the Court of Cassation against the judgments rendered by the Appellate Court as to a crime or misdemeanor in the following cases:

1. In case the contested judgment is based on an infraction of the law, a mistake of enforcement, or inference of the law.
2. In case of invalidity of the judgment or of the procedures of the judgment.
3. In case two contradictory judgments were rendered for the same incident.

Article (289)

All procedures are considered observed during the trial, however, the appellant may prove, in all ways, that the procedures were neglected or breached, if they were not stated in the minute of the hearing nor in the appealed judgment, if it was mentioned in one of them that they were observed, proving that they were not observed is done through contestation for forgery.

Article (290)

It is prohibited to appeal the cassation in rendered judgments before the merits have been decided unless the procedures of investigation were based upon them.

The Appeal before the cassation shall not be accepted as long as the contestation through objection is possible.

Article (291)

The cassation Appeal shall be filed at the clerk's office of the Court of Cassation within sixty days of the date the judgment in presence is rendered, or from the date the period of objection or appeal ends, or the date their judgments were rendered, added to them the distance date, and the reasons on which the appeal is based is submitted during the said period.

If the judgment declares innocence, and the Public Prosecution receives a certification stating that the reasons on which the appeal is based were not submitted to the clerk's office within thirty days from the date it was rendered, the appeal is accepted within thirty days from the date of submission of the reasons of the judgments.

If the appeal is filed by the Public Prosecution, its reasons is signed at least by the Public Prosecutor, and if it is filed by another party, its reasons are signed by an attorney authorized to plead before the Court of Cassation, in this case, the power of attorney is deposited upon filing the appeal.

Article (292)

No other reasons are submitted to the Court of Cassation except those submitted during the period fixed for the appeal.

However, the Court may bring appeal for cassation for the benefit of the convicted of its own will, if it appears to it, as proved by papers, that the appealed judgment is based upon a defect pertaining to public order, or based upon the violation of the law or the latter enforcement or inference erroneously, or if the Court that rendered the said judgment was not formed in virtue of the Law or has no jurisdiction to try the action, or if a judgment was rendered rectifying the defendant applied on the incident of the action, after the appealed judgment.

Article (293)

The clerk's office of the Court of Cassation requests the file of the case which rendered the appealed judgment to be included within three days from the day the appeal report is deposited, and the clerk's office of the Court that rendered the appealed judgment submits the file of the case within a maximum of six days from the day the request of the file is submitted.

Article (294)

Appellant of a judgment rendered by a custodial penalty may request in the appeal report the stay of execution of the judgment rendered against him temporarily until the appeal is decided.

The Chief of the Court appoints urgently, a hearing to consider his request, and the Public Prosecution is notified of the said hearing. If the Court orders the stay of execution of the penalty, it orders a bail to be deposited and other necessary procedures to be undertaken as to ensure the defendant won't flee, and appoints a hearing to try the appeal before it within a period that does not exceed six months.

The Court judges the appeal without a pleading, after reading the report filed by one of its members, it may hear the statements of the Public Prosecution and the attorney of the convicted, if considered necessary.

Article (295)

The Court of Cassation may bring appeal for cassation of the whole judgment or a part of it, and may refer the action to the Court which rendered the judgment so that it is considered again by a panel formed by other judges.

The Court to whom the action is referred shall abide by the cassation judgment as to matters that were considered by it.

Article (296)

The appeal filed by the convicted of a custodial penalty shall descend if he does not appear for execution before the hearing fixed for the appeal for cassation.

Article (297)

If the appeal was not filed in virtue of provisions of Article (291) of the Law hereof, the Court orders its refusal.

Article (298)

If the court approves the appeal of a judgment for the second time and the merits were valid to be sentenced, it is allowed to set out to settle it In all cases, it shall follow the procedures determined for the trial of the crime that was committed.

Article (299)

If the grounds of the appealed judgment included a mistake in the law or a mistake in mentioning its texts and the judged penalty was the penalty corresponding to the crime in virtue of the law, the Court corrects the mistake and may in this case, refuse the appeal.

Article (300)

The Court appeals in the judgment that is only related to the grounds on which was based the cassation, if the splitting is considered possible. If the appeal was not filed by the Public Prosecution, the Court brings appeal for cassation only as to the party filing the appeal providing that the grounds on which was based the cassation are not related to other convicted with it, in this case, the Court brings appeal for cassation as to them too even if they don't file an appeal.

Article (301)

If the appeal was refused in its form, the party that filed it may not, in any way, file another appeal for the same judgment for any reason.

Article (302)

The Public Prosecution submits the judgment rendered in presence of the death penalty to the Court of Cassation in a memorandum in which it states its opinion pertaining to the judgment, within sixty days from the date it is rendered, and its execution is stayed until the appeal is being decided.

The clerk's office of the Appellate Court that rendered the judgment shall submit the file of the case to the clerk's office of the Court of Cassation within three days of the deposit of the judgment grounds.

Article (303)

The Public Prosecutor may at any time, and at his own will, bring appeal for cassation for the benefit of the Law in final judgments which appeal periods were missed by the litigants, or which appeal was waived by them, or in which they

filed an appeal but was refuse, whatever the Court that rendered the judgments, providing that the appeal was based on the violation of the law or on a mistake in enforcing it or on an inference of the Law.
The appeal is submitted in a paper signed by the Public Prosecutor, and considered by the Court after notification of litigants, and in this case, the appeal shall not imply any prejudice against the convicted.

CHAPTER 4 - RECONSIDERATION

Article (304)

It is possible to request the reconsideration of conclusive judgments rendered as to a penalty or a procedure in the following cases:

1. If the defendant was convicted of a murder and the person claimed to be dead was found alive.
2. If a person was convicted for an incident, then another person was judged for the same incident,
and there was a contradiction in the two judgments which implies that one of them is innocent.
3. If any of the witnesses or experts was convicted of a penalty for perjury in virtue of provisions of
the Penal Code, or of falsifying a paper that was submitted during the trial, and the testimony, the expert's report or the falsified paper influenced the judgment.
4. If the judgment was based on a judgment rendered by another Court and cancelled.
5. If new facts take place or appear after the judgment or if papers new to the Court were submitted, and these facts or papers could prove the innocence of the convicted or change the legal characterization of the crime to a crime judged by a less aggravated penalty.

Article (305)

In the first four cases of the previous Article, the Public Prosecutor, the convicted, or his legal representative if he was incapacitated or lost, his relatives of the fourth level, or his wife have the right after his death to request reconsideration.
If the claimant was other than the Public Prosecution, he submits his request to the Public Prosecutor stating in it the judgment requested to be reconsidered, the reason on which he is based, and encloses supporting documentations.
The Public Prosecutor submits the request, whether filed by him or by others, along with investigations he observed, to the criminal department in the Court of Cassation through a report in which he states his opinion and reasons on

which he based it.
The request is referred to the Court within ninety days starting the date it was submitted.

Article (306)

The Public Prosecutor have the right to reconsideration, in the case provided by item (5) of Article (304) of the Law hereof, whether by his own will or upon request of the convicted or his legal representative, so if he considers the request justifiable, he submits it along with investigations he observed, to the criminal department in the Court of Cassation, and he states in the request the incident or paper on which he based his opinion.

Article (307)

The contestation of the decision issued by the Public Prosecutor or the judgment rendered by the criminal department in the Court of Cassation as to the acceptance or refusal of the request shall not be accepted in any way.

Article (308)

The Public Prosecution appoints the litigants in the hearing fixed to consider the request, before the criminal department in the Court of Cassation, at least seven days prior to being held.

Article (309)

The criminal department in the Court of Cassation shall decide as to the request after hearing the statements of the Public Prosecution and the convicted, and after undertaking the necessary investigations by itself in virtue of specified procedures for the appeal of the cassation judgment. If it decides to approve the request, it judges the cancellation of the judgment and declares the defendant innocent if his innocence is shown, or else it refers the action to the Court that rendered the judgment formed of other judges to try the action.
If it was impossible to repeat the trial because of the descending of the criminal action or the death of the defendant or his mental illness, the criminal department in the Court of Cassation tries the action, and cancels from the judgment only what is shown to be wrong.

Article (310)

If the defendant dies and the request was not filed by any of his relatives to the fourth level, the Court tries the action against whomever it appoints to defend his name; mainly someone from his relatives, and in this case, it judges what harms his name to be deleted when necessary.

Article (311)

The request for reconsideration does not imply the stay of execution of the judgment unless it was a death penalty judgment.

Article (312)

Every judgment that declares innocence, upon reconsideration, shall be published in the official Gazette by the Public Prosecution on the expenses of the State, as well as in two local newspapers specified by the concerned person.

Article (313)

The annulment of a judgment, upon reconsideration, implies the extinguishment of the compensation judgment, and the paid amounts shall be refunded.

Article (314)

Judgments rendered in the action, upon reconsideration, by other than criminal department in the Court of Cassation, may be appealed in any possible way provided by the law.

Article (315)

If the reconsideration request was refused, it not be renewed based on the same facts.

Article (316)

In all appealing methods provided for by the section hereof, the appellant not be damaged by his appeal if it was filed by him only.

SECTION 7 - POWER OF CONCLUSIVE JUDGMENTS

Article (317)

The criminal action shall descend, as to the defendant against whom it is filed as well as its facts, upon rendering a conclusive judgment of innocence or conviction.

The judgment is considered conclusive if it was impossible to appeal it in any appealing method provided by the law hereof, except for reconsideration.

Article (318)

Given due notice to the provision of Article (304) of the Law hereof, a criminal action may not be reconsidered after a conclusive judgment is rendered as to the said action upon appearance of new evidence, conditions, or change of the legal characterization of the crime.

Article (319)

The conclusive judgment rendered as to the motif of the criminal action has a conclusiveness by which the civil courts abide to actions that were not judged with a conclusive judgment, as to the commission of the crime, its legal characterization, and the relation imputed on the person who committed it, and the judgment of innocence has the same effect whether based on the elimination of the accusation or the lack of evidence, however, it not have this effect if it was based on an act that is not punished by the Law.

Article (320)

Judgments rendered as to the motif of the civil action not be conclusive before the criminal Courts as to the occurrence of the crime, its legal characterization, and the relation imputed on the person who committed it.

Article (321)

Judgments rendered as to the personal status articles not be conclusive before the criminal Courts as to matters on which rely the criminal action trial.

Article (322)

If the civil action is filed prior to the criminal action or during its procedures, the deciding thereof stays pending until a conclusive judgment is rendered as to the criminal action. The stay of the action shall not prohibit undertaking the precautionary and urgent procedures.

If the procedures of the action are stayed in virtue of Article (210) of the Law hereof, the civil Court renders a judgment as to the civil action.

The stay of the action end if the criminal Court renders a conviction judgment in the absence of the defendant, starting the day the period of contestation by the Public Prosecution ends, or starting the day of deciding as to the contestation.

BOOK 3 - EXECUTION

SECTION 1 - GENERAL PROVISIONS

CHAPTER 1 - ENFORCEABLE JUDGMENTS

Article (323)

Penalties or procedures that were rendered legally not be executed unless upon an enforceable judgment rendered by the competent Court.

Article (324)

The Public prosecution is in charge of executing enforceable judgments rendered as to criminal actions, and when necessary, it may seek assistance of the public authority.

Article (325)

Judgments rendered of death penalty shall not be executed urgently.

Article (326)

Judgments rendered pertaining to fines and expenses shall be immediately executed, even if appealed.

Judgments rendered pertaining to imprisonment are executed if the Court does not order the stay of execution against a bail, in this case the value of the bail is specified in the judgment.

Judgments rendered pertaining to temporary imprisonment are executed, if the defendant is a recidivist, and has no fixed residency in Qatar.

If the defendant is put under precautionary detention, the Court may order the temporary execution of the judgment.

Article (327)

The convicted may appeal the issued order of temporary execution before the Appellate Court by drafting a report in the clerk's office of the court that rendered the judgment, or the administration of the detention center, this contestation may be filed during the consideration of the appeal of the judgment.

A decision is taken as to the contestation within three days of the report date upon hearing the statements of the Public Prosecution and the appellant.

Article (328)

The defendant put under precautionary detention is immediately released if the judgment declares him innocent or if the judgment is a non-custodial procedure or a penalty which execution that does not imply imprisonment, if the judgment orders the stay of execution, or if the defendant has spent in the precautionary detention the period of the penalty or the procedure of which he is convicted.

Article (329)

The judgment with a penalty or a procedure rendered in absentia is executed if the convicted does not object it within the period provided by Article (264) of the Law hereof.

Article (330)

The Court may, upon rendering a judgment in absentia of imprisonment for one month or more, and following a demand by the Public Prosecution, order the arrest of the defendant and his imprisonment in case he has no specified residency in Qatar, or if an order of precautionary detention is issued against him.

When arrested, the defendant is imprisoned as to execute the said order until he is judged for the objection he files, or by the end of the fixed period, and it not be possible in any way that he remains in prison for a period that exceeds the period

of which he is convicted, all of this apply if the Court to which the objection was submitted does not considered it necessary to release him before the trial.

CHAPTER 2 - EXECUTION COMPLICATIONS

Article (331)

The execution complication is filed in a report in the court clerk's office that rendered the judgment, in which is stated the day the complication will be considered, providing that the period does not exceed seven days starting the date the report was filed, and it is considered as a notification to the person filing the complication even if filed by his attorney-at-law.

Article (332)

If the execution complication pertains to executing a death penalty judgment or a custodial penalty, a report may be drafted to that effect before the officer of the detention center in which the convicted is imprisoned, or in the place where the execution is taking place, and he submits it immediately to the Public Prosecution to fix a date to consider it.

Article (333)

The complication of execution of criminal verdict is referred to the Court that issued it.

Article (334)

Reporting the complication does not imply the pause of execution of the judgment having an execution complication if the judgment is not of the death penalty, however, the Court may order the stay of execution until a decision is taken as to the complication.

The Public Prosecution when necessary may order the stay of execution until a decision is taken as to the complication.

Article (335)

In all cases, the person reporting the complication may be represented by an attorney-at-law to present his defense without prejudice to the right of the Court to order his appearance in person.

Article (336)

A decision is taken as to the complication after hearing the statements of the Public Prosecution and the person reporting the complication, and the Court may undertake investigations considered necessary and judges the complication

by approving it and ordering the stay of execution, or by refusing it and continuing its execution. Its judgment of refusal of the contestation shall not be appealed.

Article (337)

A conflict concerning the personality of the convicted is considered an execution complication, and a decision is taken as to it in as shown in the previous Articles.

Article (338)

In the case of execution of financial judgments against money of the convicted, and upon establishment of a conflict by other than the convicted as to money against which the execution takes place, the matter is referred to the civil Court as provided by the Civil and Commercial Procedures Law.

SECTION 2 - ENFORCEMENT OF THE DEATH PENALTY

Article (339)

The convicted sentenced to death is imprisoned following an order issued by the Public Prosecution on the specimen decided by the Public Prosecutor, until the enforcement of the death penalty.

Article (340)

When the death penalty becomes conclusive, the Public Prosecutor submits the documentations of the action immediately to the Emir so that he ratifies them, and not be enforced prior to that.

Article (341)

Relatives of the convicted sentenced to death meet him one day prior to the enforcement of the sentence. If the religion of the convicted sentenced to death requires him to practice any religious precept before his death, the possible facilities shall proceed

Article (342)

The death penalty is executed by hanging or by shooting to death in virtue of the issued sentence, and following a written request for enforcement by the Public Prosecutor in which he demonstrates the fulfillment of the procedure provided for by the Article (342) of Law hereof.

The execution occurs in the presence of any of the Public Prosecution Chiefs, a representative of the administration of prisons, the person in charge of the pris-

on, the doctor of the prison, and a religious preacher, other than the mentioned persons can attend the execution after receiving a special authorization from the Public Prosecution, the attorney of the person sentenced to death always be allowed to attend if requested.

Article (343)

The person in charge of the prison read aloud the text of the sentence of death and the accusation because of which he was sentenced to death to the convicted, as well as the request of enforcement submitted by the Public Prosecutor, in the place of the execution, and if the convicted wishes to make any statement, a note to that effect is taken in the minute.

Upon execution, the Public Prosecutor drafts a minute in which he enters the doctor's certificate of death and the time of death.

Article (344)

The penalty of death not be enforced on official holidays or during festivities related to the religion of the convicted.

Article (345)

The penalty of death rendered against a pregnant woman is enforced after the delivery, if the delivered baby is born alive, and the death penalty is a retaliatory punishment or a hadd (Qur'anic prescribed punishment), however, if it is a ta'zir, (discretionary punishment), it is adjourned for two years following the delivery, and it may be replaced by sentence of imprisonment for life.

Article (346)

The body of the convicted sentenced to death is given to his relatives, if they request it, or else the administration of the prison buries it.

SECTION 3 - ENFORCEMENT OF CUSTODIAL PENALTIES

Article (347)

The custodial penalties are enforced in virtue of an order issued by the Public Prosecution on the determined specimen, in imprisonment places.

Article (348)

The day on which the enforcement starts is deducted from the penalty term, and the convicted is released on the day that follows the end of the penalty on the determined time to release prisoners.

Article (349)

All penalties and criminal procedures that can be enforced, are enforced from the judgment in absentia, starting the day it is rendered,

Article (350)

The term of the custodial penalty starts from the day of arrest of the convicted, in virtue of the enforceable judgment, subject to diminishing it equally to the period of precautionary detention and the arrest term.

Article (351)

If the defendant was declared innocent of the accusation because of which he was put in the precautionary detention or an order of nolle prosequi was issued, the period of precautionary detention is deducted from the period of which he is convicted for any crime he committed before he was declared innocent or before the issuance of the order.

Article (352)

In cases of the plurality of custodial penalties of which the defendant is convicted, the period of precautionary detention and that of the arrest is deducted from the less aggravated penalty first.

Article (353)

If the convicted of a custodial penalty is a pregnant woman, or if it was found that she is pregnant during the enforcement, the enforcement may be adjourned until she delivers, and the passing of two years following the delivery.

Article (354)

If the convicted of a custodial penalty has a sickness that threatens his life or could threaten his life because of the enforcement, the enforcement of the said penalty is adjourned until the reason of adjournment disappears.

Article (355)

If the convicted of a custodial penalty happens to have a mental illness, the enforcement of the said penalty is adjourned until he recovers, and he is committed to a hospital providing that the period he spends in the hospital will be deducted from the penalty of which he is convicted.

Article (356)

If a man and his wife are convicted of a custodial penalty, even for different crimes and were never imprisoned before, the enforcement of the said penalty is adjourned for one of them until the other is released, in case they have a child who has not attained sixteen years old, and they have a known residency in Qatar.

Article (357)

The adjournment of the enforcement of a custodial penalty or the commitment to a hospital is done in virtue of an order by the Public Prosecution, whether of its own will or following a request by the concerned parties, and it orders the necessary measures to be taken to abstain the convicted from fleeing.

Article (358)

In case of plurality of the custodial penalties, the most aggravated penalty is enforced first.

Article (359)

The convicted is released after completing the penalty period only unless stipulated otherwise in the law.

SECTION 4 - CONDITIONAL RELEASE

Article (360)

Any convicted of a custodial penalty may be released under a conditional release if he fulfills the conditions provided by the Law of organizing prisons.

The conditional release is ordered by the Public Prosecutor upon request of the Minister of Interior or his representative.

The released under a conditional release abide by the conditions of the aforementioned Law, during the remaining period of which he is convicted.

Article (361)

The Public Prosecutor, upon request of the Minister of Interior or his representative, may cancel the conditional release if the released did not respect the conditions provided by the Law of organizing prisons.

SECTION 5 - ENFORCEMENT OF MEASURES

Article (362)

The judgments of commitment in hospitals or social care centers are enforced in the prepared places. The commitment of the convicted is done in virtue of an order by the Public Prosecution.

The provisions of Articles (353), (354), (355) and (357) of the Law hereof apply to commitment in hospitals or social care centers.

Article (363)

The measures shall be enforced after the enforcement of custodial penalties, if it is not possible to enforce them together.

Exception from the provision of the previous paragraph, the enforcement of the

commitment in a hospital occurs before the enforcement of any other penalty or measure, unless stipulated otherwise by the law.

SECTION 6 - PAYMENT OF THE ORDERED OBLIGATIONS

Article (364)

Upon settlement of the payments due to the State, as to fines and what shall be refunded, compensations and expenses, the Public Prosecution, before ordering their enforcement, notifies the convicted about their amount if it is not estimated in the judgment.

Article (365)

If the defendant was sentenced to the payment of the fine and whatever should be paid back from compensations and expenses, and his money at the time of enforcement was not enough, the paid amount should be divided as follows:

1. Fines and other financial penalties.
2. Amounts owed to the Government as compensations and expenses.

If the crimes of which he is convicted are many, the paid amount or amounts recuperated through enforcement of the properties of the convicted shall be deducted from crimes of which he is convicted, then offences, then infractions.

Article (366)

If a person is put under precautionary detention, and he was only sentenced to the payment of a fine, upon enforcement, one hundred Riyals is deducted from it for every day of imprisonment, and if he was sentenced to both imprisonment and the fine, and the period he spent in precautionary detention was more than the period of imprisonment of which he is sentenced, one hundred Riyals is deducted from the fine for every additional day.

Article (367)

Enforcement may be done through imprisonment to collect fines, other financial penalties, and expenses of the criminal action, and its period is calculated as one hundred Riyals or less for the day.

However, in infractions, the imprisonment shall not exceed seven days, and in crimes and offences, it shall not be exceeded six months.

Article (368)

Provisions of Articles (348) and (355) of the Law hereof is applied on the en-

forcement by imprisonment to collect fines, other financial penalties, and expenses of the criminal action.

Article (369)

If the sentences are many, enforcement is done considering the total of the judged amounts, providing that the imprisonment does not exceed one year.

Article (370)

The Public Prosecution may give the convicted whenever necessary, upon his request, a period of time to pay the owed amounts to the State, or may allow him to pay them in installments providing that the period does not exceed three years, and if the convicted is late in payment of any installment without an acceptable reason, all the other installments are nullified.
The Public Prosecution may cancel its order.

Article (371)

Enforcement is by imprisonment following an order issued by the Public Prosecution, after notifying the convicted, and after he passes all custodial penalties terms to which he is sentenced.

Article (372)

Enforcement by imprisonment ends if the amount that is equivalent to the period spent by the defendant coercively and calculated in virtue of the previous articles is equal to the originally requested amount after having deducted what has been paid by the convicted or collected by enforcement on his properties.

Article (373)

The convicted is not discharged of the fine, other financial penalties and expenses through enforcement by imprisonment, unless considering one hundred Riyals per day.

Article (374)

Enforcement not be done through imprisonment of the convicted sentenced to imprisonment with stay of execution.

SECTION 7 - DROPPING PENALTIES UPON FULFILLMENT OF THE PERIOD AND DEATH OF THE CONVICTED

Article (375)

The sentenced penalty in a crime is dropped after twenty years, unless it is a death penalty, then it is dropped after thirty years.
The sentenced penalty in a misdemeanor is dropped after five years.
The sentenced penalty in an infraction is dropped after two years.
The dropping period starts by the date the judgment becomes conclusive.

Article (376)

The penalty dropping period descends upon arrest of the convicted of a custodial penalty, and upon any enforcement measure undertaken while confronting him or with his knowledge, or if the convicted commits during the said period a crime or a misdemeanor identical or similar to the crime of which he is convicted.

Article (377)

The penalty dropping period descends upon any occurrence prohibiting the execution of the enforcement whether legal or material.
The convicted being abroad is considered as a prohibiting occurrence that descends the penalty dropping period.

Article (378)

If the convicted dies after being judged of a conclusive judgment, financial penalties, compensations, and whatever should be refunded and expenses are enforced upon his devolution.

SECTION 8 - REHABILITATION

Article (379)

The rehabilitation is allotted ipso jure, if the convicted is not sentenced for a crime or a misdemeanor, in the following cases:

1. If the judgment is a penalty for a crime, and five years passed on the execution of the penalty, or in case of grant of pardon, or if it is dropped by the end of its period.
2. If the judgment is a penalty for a misdemeanor, and three years passed on the execution of the penalty, or in case of grant of pardon, unless the convicted is considered in the judgment a recidivist, or if it is dropped by the end of its period which is of five years.

Article (380)

For the judicial rehabilitation, the following requirements are met:

1. The penalty is for a crime or a misdemeanor that has been completely executed, or in case of grant of pardon, or has been dropped by the end of its period.
2. A period of two years have passed starting the date of execution of the penalty or the date of grant of pardon if it is a penalty for a crime, and the said period is of one year if it is a penalty for a misdemeanor.

The period is doubled in the cases of recidivism and dropping of penalty by the end of its period.

In all cases, recidivism is proved as specified in the criminal minute, or the foregoing judicial provisions.

Article (381)

The rehabilitation judgment is issued by the Assize Court.

Article (382)

If the penalty is judged along with a precautionary measure, the period starts from the day the measure ends, or is dropped by the end of the period.

If the defendant is released under a condition, the period starts only from the date the release under condition becomes final.

Article (383)

The rehabilitation judgment is issued providing that the convicted fulfills all judgments related to financial commitments for the State or the individuals, if these commitments were not descended, or if the convicted proves he can't fulfill them.

Article (384)

If the claimant is sentenced to many judgments, the rehabilitation judgment not be issued unless the conditions provided for in the previous Articles as to every judgment is fulfilled, given due notice in the calculation of the period to the latest provisions.

Article (385)

The rehabilitation request is submitted by the convicted to the Public Prosecution, it includes the necessary documentation to define the identity of the claimant, along with the date of issued judgments date and places where he resided since his release.

Article (386)

The Public Prosecution undertakes an investigation concerning the request so that to get documentations on the residency of the claimant about every place where he resided since he was convicted, and the term of residency, to take cognizance of his behavior and means of living, and in general, it inquires any needed information, and encloses the investigation with the request, to submit it to the Assize Court within the three months following its submission in a report in which it includes it opinion and the grounds on which it was found, and is enclosed with the request:

1. Copies of the judgments issued against the claimant.
2. His criminal minute.
3. Report about his behavior during the enforcement period.
4. Report about his states from the police in places where he resided since his release.

Article (387)

Upon perusing the rehabilitation request, the Court may hear statements of the Public Prosecution and the claimant, and inquire any needed information.

The Public Prosecution summons the claimant at least eight days prior to the hearing.

Article (388)

When the judicial rehabilitation conditions are met, the Court renders the rehabilitation judgment if it considers the behavior of the claimant to be proving his rectification.

Article (389)

The Public Prosecution submits a copy of the rehabilitation judgment to Courts that rendered judgments of penalties or measures to notify them, and orders notes to be taken to that effect on registers prepared for this purpose.

Article (390)

If the rehabilitation request was objected because of a reason related to the behavior of the convicted, it may not be renewed unless after six months from the objection date, in other cases, it may be renewed when the other necessary conditions are met.

Article (391)

The rehabilitation judgment may be abolished if it was proved that other judgments were rendered against the convicted without the knowledge of the Court, or if a judgment is issued against him after the rehabilitation for a crime that was committed before it.

In this case, the judgment is rendered by the Court that rendered the rehabilita-

tion judgment upon the request of the Public Prosecution.

Article (392)

The rehabilitation implies the annulment of the conviction judgment, as to the future, as well as cancellation of whatever results from it as the incapacity, deprivation of rights, and all other criminal effects.

Article (393)

It not be possible to protest against the rehabilitation of others, concerning their rights as to the conviction judgment, especially as to what should be refunded as well as compensations.

Article (394)

Judgments rendered as to stay of execution not be considered as a precedent that requires rehabilitation.

SECTION 9 - JUDICIAL SURVEILLANCE OF DETENTION PLACES

Article (395)

Members of the Public Prosecution have the right to enter detention places that are within the province of their competence, as to ensure that there is no prisoner with illegal capacity, they may peruse registers, arrest orders, and imprisonment orders and take copies of them, and contact any prisoner and hear any possible complaint he may make. They should receive any help to get the information they require.

Article (396)

Any prisoner in the detention places, may, at anytime, submit to the officer in charge a written or oral complaint, and may request him to submit it to the Public Prosecution after confirming it in the special register; the officer in charge accepts it and notifies the Public Prosecution immediately about it.

Whoever has knowledge about the illegal detention of a prisoner or about his imprisonment in a place that is not destined for prison, shall notify any of the members of the Public Prosecution who, upon being notified, move immediately to the place where the imprisoned is, undertake the investigations, and order the illegally imprisoned person to be released, a minute is drafted as to this event.

BOOK 4 - LOSS OF PAPERS AND CALCULATION OF PERIODS

SECTION 1 - LOSS OF PAPERS

Article (397)

Measures provided in the section hereof are applied if the original copy of the judgment is lost prior to its enforcement, or if the investigation papers are lost, all or some of them, before a decision is rendered.

Article (398)

If an official copy of the judgment is found, it is in lieu of the original, and if it is held by any person or party, the Public Prosecution sues out an order by the Chief of the Court that issued its delivery order.

If this person or party abstains from executing the order, he/it is sentenced to penalties provided for by Article (179) of the Penal Code. Whoever submits the official copy may request an identical copy without paying any expenses.

Article (399)

Losing the original copy of the rendered judgment does not imply a trial de novo whenever the ordinary contestation methods are depleted.

Article (400)

If the case is considered before the criminal department in the Court of Cassation, and it was impossible to acquire an official copy of the judgment, the Court order a trial de novo whenever the decided procedures of contestation are depleted.

Article (401)

If all or some of the investigation papers are lost, prior to a decision as to the investigation, and an official copy was found, it is in lieu of the official papers. If it is held by any person or party, the investigating party order him/it to submit it.

If this person or party abstains from executing the order, he/it is sentenced to penalties provided for by Article (179) of the Penal Code.

If it was impossible to acquire the copy, the investigation is repeated as to the lost papers and if the case was filed before the Court, the said Court investigates what it considers necessary.

Article (402)

If all or some of the investigation papers are lost, and the judgment exists and it was decided as to the case before the Criminal Department of the Court of Cassation, the procedures not be repeated unless decided otherwise by the Court.

SECTION 2 - DATES DETERMINATION AND CALCULATION OF PERIODS

Article (403)

No notification is made before seven a.m. or after six p.m., or on official holidays, unless in cases of emergency and following an authorization by the Public Prosecution or the competent judge, providing that this authorization is stated in the original copy of the notification.

Article (404)

If the law fixes a period of days, months or years, for the summons or the enforcement of procedures, the day of notification not be counted, nor will be the day of issuance of the order which is considered as a procedure, the said period ends by the end of the official schedule of the last working day.

If the period is valued by hours, fixing the hour it starts and the hour it ends is calculated as shown above.

If the period ends before the procedure, the procedure is undertaken only after the end of the last day of the said period.

Period valued by month or year on the corresponding day of the next month or year.

In all cases, if the last day of the period is an official holiday, it is prolonged to the first next working day.

Article (405)

To periods stated in the law hereof, is added distance dates equal to ten days for residents outside the area of jurisdiction of the Court, and sixty days for residents abroad; in case of emergency, these dates may be reduced upon an order issued by the competent judge and announced along with the paper that should be announced.

Article (406)

All periods stated in the law hereof are calculated according to the Christian calendar.

BOOK 5 - INTERNATIONAL JUDICIAL COOPERATION

SECTION 1 - GENERAL PROVISIONS

Article (407)

Without prejudice to the provisions of international conventions applied in the State of Qatar, on condition of mutual treatment, the judicial Qatari authorities cooperate with foreign and international judicial authorities, in the criminal field,

in virtue of the provisions of the law hereof.

SECTION 2 - EXTRADITION OF CONVICTED AND DEFENDANT AND DELIVERY OF MATERIALS

Article (408)

Extradition of convicted or defendant persons to the foreign country that requests to receive them to execute criminal judgments rendered against them or to judge them according to the provisions provided for by the following articles.

Article (409)

The extradition shall meet the following requirements:

1. The crime for which extradition is requested have been committed in the territory of the country requesting the extradition, or outside the territory of Qatar and that of the country requesting the extradition whenever laws of the requesting country punish the incident if it was committed outside its territory.
2. The crime is a misdemeanor or an infraction punished by the Qatari Law and the Law of the country requesting the extradition by a custodial penalty for two years at least, or by an aggravated penalty, or that the person requested for extradition because of this crime is judged to an imprisonment for at least six months.

If the incident is not punished by Qatari Laws, or if the punishment decided as to the crime in the country requesting the extradition has no parallel judgment in the State of Qatar, the extradition not be considered obligatory unless the person requested for extradition is a citizen of the said country, or a citizen of a country that applied the same penalty.

If the crimes for which the extradition is requested are many, extradition is enforced only for crimes that meet the two previous conditions.

Article (410)

The extradition shall not be enforced in the following cases:

1. If the person requested for extradition is a Qatari.
2. If the crime for which the extradition is requested is political or is related to a political crime, or if the person was a political refugee at the time of submitting the extradition request.
3. If the crime for which the extradition is requested is limited to the breach of military duties.
4. If serious reasons led to proving that the extradition request was submit-

ted to judge or punish the person for approaches related to gender, religion, nationality or political opinion, or if the availability of any of these approaches may harm the post of the said person.

5. If the person requested for extradition has already been convicted of the same crime and was declared innocent or was convicted of a conclusive judgment in virtue of Laws of the country that has rendered the judgment and has executed the penalty, or if the criminal action or the penalty have descended or were dropped with the end of their period, or if he was granted pardon in virtue of the Qatari Law or the Law of the country requesting the extradition.

6. If the Qatari Law authorizes the judgment of the person requested for extradition before the judicial authorities in Qatar in the crime for which he was requested for extradition.

Article (411)

If the person requested for extradition is under investigation or trial for another crime that he has committed in Qatar, his extradition is adjourned until the investigation ends or the trial ends with a conclusive judgment and he executes the penalty of which he is convicted.

Article (412)

The request for extradition is submitted in diplomatic methods and a decision is taken by the competent authorities in virtue of the law.

The request is submitted along with the following data and documents:

1. Arrest warrant issued by the competent authority in which is stated the type of the crime, the law article that punishes it, if it concerns a person under investigation, enclosed is an official copy of the investigation papers ratified by the judicial authority that has undertaken it, or which holds the papers.

2. An official copy of the judgment, if it concerns a person that was judged in absentia or in presence.

In all cases, with the request for extradition is enclosed a ratified copy of the Law text applied for the crime, as well as a complete statement on the identity of the person requested for extradition, his characteristics and papers identifying his nationality.

All extradition papers are ratified by the concerned party in the country requesting the extradition.

Article (413)

The Public Prosecutor decides of the extradition request; if the data and documents submitted to support the request were considered not enough to take the decision, he may request the country requesting the extradition to submit additional data and documents within the period he defines.

Article (414)

The person requested for extradition is notified of the accusation of which he is charged, evidences raised against him, the documentations requested for extradition, his statements are drafted in a minute, and he may bring an attorney when being questioned.

Article (415)

The Public Prosecutor may, in emergency cases, and upon a request that is submitted directly to him by the judicial authorities in the country requesting the extradition, use any means of communication, to decide to put the requested person under attachment temporarily until receipt of the written request of extradition along with its enclosed documents.

The person requested for extradition not be attached waiting for receipt of the written request of extradition along with its enclosed documents for a period of fifteen days unless the country requesting the extradition submits an acceptable excuse.

In all cases, the attachment period not exceed one month, and the release of the requested person not imply that he won't be reattached upon receipt of the extradition request along with its enclosed documents.

Article (416)

If more than one country requires the extradition of the same person, the Public Prosecutor shall determine the country which receives the person, giving due notice to conditions related to every case especially:

1. Gravity of the crime.
2. Date and place of the commission of the crime.
3. Date of every request.
4. Nationality of the person requested for extradition.
5. The usual residency place of the person requested for extradition.

Article (417)

Without prejudice to rights of others of bona fide, the Public Prosecutor may deliver to the country requesting the extradition all possessions of the person against whom a judgment of extradition was issued among seized materials from the crime of which he is convicted, or materials used in the commission of the crime, or that may be used as an evidence in it.

Article (418)

If the country requesting the extradition of a person does not receive him within one month starting the date it is notified about it, he is released. Afterwards, the extradition not be enforced unless upon a new decision, in all cases, the attach-

ment period of the person requested for extradition not exceed three months.

Article (419)

A person against whom an extradition order was issued may file a contestation. He may also, as any other concerned party, appeal the order of delivery of all seized materials, in virtue of procedures provided for by the following two articles.

Article (420)

The contestation is filed by a report in the clerk's office of the Appellate Court within five days of the date of issuance of the order to face the petitioner, or of the date he is officially notified about it.

In the contestation report is stated the date of the hearing appointed to consider it, providing that it does not exceed seven days starting the date of the report, and this is considered as a notification of the hearing even if the report was made by a representative.

Article (421)

A criminal department in the Appellate Court deems the appeal, and a decision is taken to that effect secretly, within two weeks from date of the first trial, with the continuance of the connection of the person requested for extradition if he was connected The decision issued to that consequence is final and uncontestable in any mean.

Article (422)

The Public Prosecutor may request the competent authorities in a foreign country for extradition of the convicted of a custodial penalty or an aggravated penalty, or the defendant of a crime punished with the same penalty subject to the provisions of the Qatari Laws.

The request is submitted using the diplomatic methods followed by the concerned country, along with supporting documents and papers.

The Public Prosecutor has the authority to approve the conditions put by the foreign country on the extradition if those do not contradict the main principles of Qatari Law.

Article (423)

It is not allowed to convict an extradited person, or bring him to trial or execute a penalty against him, for a crime that preceded the extradition date, except the crime for which he was requested for extradition and the related crimes, unless:

1. The person or the country that enforced the transportation approves it.
2. If he does not leave the territory of the country within the thirty days that

follow the end of the procedures and enforcement of the action, depending on the case, although he could do so.

Article (424)

The period of attachment of the defendant enforced abroad is deducted, upon the request of extradition, from the period during which he may be precautionary put under detention, but it is also deducted from the penalty period of which he is convicted.

SECTION 3 - CONTROLLED EXTRADITION

Article (425)

The Public Prosecutor, without prejudice to the jurisdiction rules of the Qatari Law, may authorize penetration or extraction of the State materials which possession is considered to be a crime, or materials that are resulting from a crime, or where used to commit the crime, in virtue of the Qatari Law, without being apprehended or replaced completely or partially, under the surveillance of the competent authority, and upon request of the foreign country, in order to identify their destination or confiscate their holder.

Article (426)

The competent parties in Qatar are in charge of enforcing the authorization mentioned in the previous Article after notifying the concerned parties when necessary, and a minute is drafted as to the undertaken procedures.

The Public Prosecutor may determine the controlled method of materials to the requesting party, the mean of refinement or compensation.

SECTION 4 - JUDICIAL DELEGATION
CHAPTER 1 - JUDICIAL DELEGATION OF QATARI JUDICIAL AUTHORITIES

Article (427)

If any foreign country wants to make its investigations with the knowledge of Qatari judicial authorities, the competent authority of the latter country submits the request of delegation following the diplomatic methods to the Public Prosecutor.

It should be stated in the request, the procedures required to be undertaken,

as well as the investigations that will be made, the incident's conditions and applicable law texts, along with all documents and papers considered necessary for the enforcement of the delegation.

The Public Prosecutor may refer the request to the competent judicial authority to take the necessary procedures.

In case of emergency, and upon application of the requesting country, the necessary procedures may be undertaken before the receipt of the request and the enclosed aforementioned documents and papers.

Article (428)

The request of delegation may be refused in the following cases:

1. If the requested procedures are prohibited in virtue of the Law, or contradict the principles of the public order in Qatar.
2. If the incident for which the delegation is requested is not considered a crime in the Qatari Law, providing that the convicted does not accept openly the enforcement of the delegation.
3. If the crime for which the delegation is requested is among crimes that could not be delegated.

Article (429)

In case it was necessary to perform a trust, for the account of expenses and remunerations of experts, and fees of papers submitted during the enforcement of the delegation, the country requesting the necessity of the trust is notified of the competent treasury of the Court, and is also notified, when convenient, about the place and date of enforcement of the delegation if it openly requires it.

Article (430)

The texts of the Law hereof shall come into force upon undertaking the requested delegation procedures.

However, it may be possible, upon an open request by the foreign authority, to enforce the procedure as requested, if it does not contradict the principles of the public order in Qatar.

Article (431)

Having implemented the judicial delegation, the papers shall be diverted to the Public Prosecutor who submits them through the diplomatic methods to the foreign country that requests the delegation.

CHAPTER 2 - JUDICIAL DELEGATION OF FOREIGN AUTHORITIES

Article (432)

The Court or the Public Prosecution, each within its competence, may request the judicial delegation from competent authority in a foreign country. Then, the delegation requests shall be submitted to the Ministry of Foreign affairs that addresses them to the foreign authority through the
diplomatic methods.

Article (433)

The judicial procedure, enforced upon the judicial delegation request, shall be considered accurate whenever it meets the form and requirements stipulated in the Law of the foreign country to which the authorities started the procedure, as long as the Qatari judicial authority has not required a definite procedure.
It should have the same legal effect as if it was preceded before the Qatari judicial authorities.

SECTION 5 - EXCHANGE OF THE EXECUTION OF PENALTIES

CHAPTER 1 - TRANSPORTATION OF IMPRISONED CONVICTED PERSONS TO QATAR

Article (434)

The Public Prosecutor may, upon the request of the Qatari convicted, submit to the foreign country in which the penalty is being executed a request to transport him to Qatar.

Article (435)

A foreign country may transport the convicted sentenced to a custodial penalty in virtue of a judgment rendered by its Courts, to execute the penalty in the detention centers in Qatar, whenever the convicted is a Qatari who fulfills the following requirements:

1. The convicted accepts the transportation by writing, and the approval of his legal representative is done in virtue of provisions of the Qatari Law if it is necessary because of his physical or mental state.
2. The custodial penalty judgment is conclusive.
3. The same incident shall not have been judged by innocence or conviction by the Qatari Courts and the penalty have not been executed, or dropped by the end of its period, and the Public Prosecution did not have ordered a nolle prosequi.

4. The incident that was judged constitutes a crime in the Qatari Law.
5. The execution of the judgment does not contradict the main principles of the Qatari legal system.

Article (436)

The transportation request should be submitted written to the Public Prosecutor, enclosed are the criminal judgments, execution documentations, approval of the convicted and his legal representative, along with the Arabic official translation of the foreign provisions.
The Public Prosecutor may request from the competent foreign authority all data considered necessary for the realization of the request.

Article (437)

The Public Prosecutor may accept or refuse the transportation request of the convicted to Qatar, and in case of acceptance of the request, he orders the continuance of imprisonment of the convicted starting from day he arrives to the country, and he determines in his decision the period of the penalty that is to be executed in Qatar after deducting the days executed abroad.
The decision of the Public Prosecutor is final and unappeasable.

Article (438)

The execution of the penalty is accomplished in virtue of the enforcement provisions provided for by Qatari Laws, and the Qatari authorities exclusively take all decisions related to the mean of execution.

Article (439)

The executing parties in Qatar are dedicated to resolutions and provisions issued by the country requesting the transportation which completes the execution of the penalty or a part of it, or can stay its execution.
The Public Prosecutor shall issue an order to that event, of his own will or following the request of the convicted.

CHAPTER 2 - MOVING THE DEFENDANT TO A FOREIGN COUNTRY

Article (440)

The convicted sentenced to a custodial penalty in virtue of a criminal conclusive verdict pronounced by a Qatari Court may be transported to a foreign State in which the penalty is executed, if the convicted is one of its citizens and he agrees to be transported to it.

Article (441)

The request of transportation for the execution in the foreign country of the penalty mentioned in the previous Article is submitted by the latter country or the defendant to the Public Prosecutor.

The Public Prosecutor issues an order of approval or refusal of the request, and his order is unappeasable in any way.

Article (442)

Execution of the penalty stays in the detention centers in Qatar upon the implementation of the Public Prosecutor's decision pertaining to executing the penalty in the foreign country.

There is no return to the execution if the penalty is executed according to Laws of the foreign country.

Article (443)

The convicted is transported under surveillance and by the mean considered suitable according to the competent security parties, and on the expense of the foreign country, unless otherwise decided by the Public Prosecutor.

Completed
Praise Be To GOD