

**Rules and Procedures before the Civil and Commercial Court of the Qatar
Financial Centre**

Chapter One

Definitions and General Provisions

Article (1)

1.1. In applying the provisions of these Rules and Procedures, the following terms and expressions shall have the meanings assigned to each, unless the context requires otherwise:

- 1.1.1. The Minister: the Minister of Commerce and Industry.
- 1.1.2. The Court: the Civil and Commercial Court of the Qatar Financial Centre established pursuant to Article (8) of the Law.
- 1.1.3. The President: the President of the Court.
- 1.1.4. QFC Regulations: the regulations and procedures organised or to be organised in accordance with the provisions of the Law.
- 1.1.5. The Regulatory Tribunal: the Regulatory Tribunal of the Qatar Financial Centre established pursuant to Article (8) of the Law.
- 1.1.6. The Registry: the Registry of the Court.
- 1.1.7. The State: the State of Qatar.
- 1.1.8. The Law: the Qatar Financial Centre Law referred to.

Article (2)

- 2.1. These Rules and Procedures apply to all proceedings and appeals before the Court.
- 2.2. These Rules and Procedures are intended to be a self-contained code for the administration of justice by the Court.

Article (3)

- 3.1. The Civil and Commercial Court is a Qatari court with an international nature. Although proceedings before the Court will usually be conducted in English, the Court shall pay due respect to the fact that Arabic is the official language of the State. Parties before the Court may conduct proceedings in Arabic.

Article (4)

- 4.1. The Overriding Objective of the Court is to deal with all cases justly
- 4.2. The Court must seek to give effect to the Overriding Objective when it exercises its functions and powers under the Law, these Rules and Procedures, and relevant regulations and laws.
- 4.3. Dealing with all cases justly includes, so far as practicable:
- 4.3.1. Ensuring that litigation before the Court takes place expeditiously and effectively, using appropriately no more resources of the Court and the parties than is necessary.
 - 4.3.2. Ensuring that the parties are on an equal footing.
 - 4.3.3. Dealing with the case in ways which are proportionate to the amount of money in dispute, to the importance of the case, to the complexity of the issues, facts and arguments, and to the financial position of each party.
 - 4.3.4. Making appropriate use of information technology.
- 4.4. It is the duty of the Court to deal with all cases in accordance with the Overriding Objective.
- 4.5. It is the duty of the parties to any case before the Court to assist the Court in determining that case in accordance with the Overriding Objective.

Article (5)

- 5.1. The Court will encourage the parties, whenever it is appropriate to do so, to resolve their disputes by resorting to arbitration or mediation or any other method of alternative dispute resolution.
- 5.2. The Court may recommend the establishment of a Dispute Resolution Centre; such a centre may be established by Regulations according to the provisions of Article (9) of the QFC Law.

Chapter Two

Formation of the Court

Article (6)

- 6.1. The constitution of the Court is as provided by Schedule 6 to the Law.
- 6.2. If the President becomes unable to perform their duties, the Judges shall inform the Minister of the name of the Judge who shall temporarily perform the duties of the President based on an agreement among the Judges, until the President resumes the ability to perform their duties or is replaced by the Council of Ministers in accordance with the Law.
- 6.3. The President shall appoint one of the Court's Judges as the Enforcement Judge.

Article (7)

- 7.1. The Court, acting by the President, shall establish a Registry. The President shall appoint the Registrar for a term not exceeding 5 years.
- 7.2. The Chairman of the Regulatory Tribunal and the President may jointly establish a Registry and appoint the Registrar, in order for the Regulatory Tribunal and the Civil and Commercial Court to carry out their functions.

- 7.3. The Registrar shall be responsible for management aspects of the Court and for the management of cases before the Court.
- 7.4. The Registrar shall perform their duties on such terms and conditions as are determined by the President, and if the Registrar is appointed jointly to the Civil and Commercial Court and the Regulatory Tribunal, on such terms and conditions as are determined by the President and the Chairman of the Regulatory Tribunal.
- 7.5. The President may remove the Registrar from office on the same grounds as the President or a Judge, as set out in paragraph (6) of Schedule 6 to the Law. In the case of misconduct, it shall be for the President to determine whether such misconduct is serious and of a nature which warrants the Registrar's removal from office.
- 7.6. The President may appoint a Deputy Registrar. The Registrar can delegate any of the Registrar's responsibilities to their Deputy. The President may also appoint the Deputy Registrar of the Regulatory Tribunal Registry as the Deputy Registrar of the Civil and Commercial Court Registry.
- 7.7. References to the Registrar in these Rules and Procedures also include the Deputy Registrar acting under the delegated authority of the Registrar.

Article (8)

- 8.1. Any application that is required to be filled with the Court, or the lodging of a document with the Court, or its delivery to the Court, in accordance with these Rules and Procedures or relevant laws and regulations, shall be considered duly done if the notice or document is lodged with the Court Registry.
- 8.2. Documents or notices must be filed at the Registry. A party responsible for filing must file the document or notice electronically, either by email or through the Court's eCourt system, unless the Registrar or a Judge decides otherwise.
- 8.3. The President may issue decisions by which the permissible methods for the filing of documents and notices with the Registry are amended or extended.

- 8.4. The Registrar, as appropriate, issues notices that include the details of the National Address, address, postal box, telephone, fax, and email of the Registry.

Chapter Three

Jurisdiction of the Court

Article (9)

- 9.1. The Court has jurisdiction over disputes as provided by Articles (8.3(c)) and ((d)) of the Law, in relation to:

- 9.1.1. The First Instance Circuit of the Court shall have jurisdiction to decide the following disputes:

9.1.1.1 Civil and commercial disputes arising from transactions, contracts, arrangements or incidences taking place in or from the QFC between the entities established therein.

9.1.1.2 Civil and commercial disputes arising between QFC bodies, Institutions and the entities established therein.

9.1.1.3 Civil and commercial disputes arising between entities established in the QFC and contractors therewith and employees thereof, unless the parties agree otherwise.

9.1.1.4 Civil and commercial disputes arising from transactions, contracts or arrangements taking place between entities established within the QFC and residents of The State, or entities established in The State but outside the QFC, unless the parties agree otherwise.

9.1.1.5 Civil and commercial disputes related to other entities which are assigned to it by a law.

- 9.2. The Appeal Circuit shall have jurisdiction to decide appeals against judgments issued by the First Instance Circuit, and appeals against judgments issued by the Regulatory Tribunal. It is not permissible to sit on an appeal panel where the Judge was part of the Circuit or Court that issued the appealed judgment.
- 9.3. The Court shall also have jurisdiction in relation to any matter in respect of which jurisdiction is given in accordance with the Law or its regulations.
- 9.4. The Court shall issue a final decision on disputes within its jurisdiction. If the Court decides that it lacks jurisdiction, it must refer the lawsuit to any other competent court in the State.

Article (10)

- 10.1. The Court has the power to take all steps that are necessary or expedient for the proper determination of a case.
- 10.2. Without prejudice to the generality of the previous Article, the Court may:
- 10.2.1. Make such orders as it considers appropriate in relation to the management of cases.
 - 10.2.2. Require the parties to cases to take steps to settle their dispute by means of an alternative dispute resolution process.
 - 10.2.3. Admit evidence, both as to matters of fact and as to matters of expert opinion, on such terms and in such form as it considers appropriate.
 - 10.2.4. Receive evidence on oath or affirmation.

10.2.5. Summon any person to appear before it to give evidence or to produce any item, record, document, or material in electronic form that is in the person's possession. [No party will be required to produce any item, record, document, or material that is privileged. If the privilege itself is the subject matter of the dispute, the Court shall determine whether the privilege applies or not, and in a case where it does not, may lift the privilege].

10.2.6. Make orders as to the costs of proceedings, including assessing any costs on a summary basis.

10.3. The Court may grant all such relief and make all such orders as may be appropriate and just, in accordance with the Overriding Objective as set out in Article (4) of these Rules and Procedures.

Chapter Four

Applicable Law

Article (11)

11.1. The Court shall apply the provisions of paragraphs (8) and (9) of Schedule 6 to the Law, without prejudice to Articles (11(4)), (18(1)), (18(2)) and (18(3)) of the Law:

11.1.1. The Court shall apply the Law and its regulations, insofar as the same are applicable.

11.1.2. The parties may agree the law that shall apply to the dispute, in which case the Court will ordinarily determine the dispute in accordance with that agreement, although:

- (a) The Court may, in its discretion, refuse to do so if it considers that there are substantial reasons which indicate that it is not appropriate to apply the law chosen by the parties.

(b) If the chosen law is inconsistent with public order and morals in the State, the Court must not apply it.

(c) The Court shall, in all cases related to disputes within the Qatar Financial Centre, apply all provisions of the law related to consumer protection.

11.2.Proceedings must be initiated within six years from the date the cause of action arose unless otherwise stipulated by another law.

Chapter Five

Composition of the Circuits

Article (12)

12.1.All Judges are eligible to be appointed to the First Instance Circuit or to the Appeal Circuit.

12.2.Proceedings before the Court shall be heard and determined in the First Instance Circuit by one Judge or three Judges as determined appropriate by the President, and in the Appeal Circuit by three Judges who will include the President unless the President is unable, or his sitting does not serve the interests of justice.

12.3.The President shall determine the composition of the Court for the hearing of a case or an appeal.

12.4.Without prejudice to Articles (9.2) and (36.5) of these Rules and Procedures, the President may, exceptionally and in the interests of justice, appoint a Judge from the Regulatory Tribunal to be a member of the Court panel.

12.5. The Court, where it is considered to be in the interests of justice and of good administration, may delegate the hearing of any issue, application or matter to one or more of the three Judges selected to determine the case, and the decision of the Judge or Judges can be adopted by the remaining Judge or Judges so appointed without the need for any further hearing.

12.6. When the Appeal Circuit exercises its jurisdiction, it shall be constituted according to Article (36) of these Rules and Procedures.

Chapter Six

Procedures before the Court

Article (13)

13.1. The President may at any time publish forms to be used by the parties in proceedings before the Court.

13.2. A party or the Court may vary a form if the circumstances of the case require it.

Article (14)

14.1. In these Rules and Procedures, time limits are set in days, excluding the starting day.

14.2. A "working day" means any day other than a Friday, Saturday or Qatar public holiday. References to "business hours" are to the hours of 08:00-16:00, Doha time.

14.3. The filing of any document with the Court or its serving on any party shall be deemed done according to the following:

14.3.1. Where a document is sent by a postal or similar method that provides for delivery on the next working day, it shall be deemed to be served or filed on the second working day after it was sent.

14.3.2. Where a document is delivered to or left at an address, it shall be deemed to be served or filed on the working day after it has been delivered to or left at that address.

14.3.3. Where a document is served or filed by electronic means (such as through email or by using the eCourt system), it shall be deemed to be served or filed:

(a) If it is transmitted during business hours, on the day on which it is transmitted.

(b) If it is transmitted outside business hours, on the next working day.

14.4. When the last date for filing any document with the Registry, as prescribed by the Law or its regulations, or under these Rules and Procedures, laws, or any other relevant regulations, falls on a day that is not a working day, the period for filing that document shall automatically be extended to the next working day.

14.5. Article (17(2)) of these Rules and Procedures sets out the specific provisions regarding commencing a claim.

14.6. The Judge or the Registrar has the power to extend or shorten any time limit set by these Rules and Procedures or related laws or regulations. However, this does not empower the Court to shorten any period contrary to the Law or regulations of the Qatar Financial Centre or other applicable laws.

Article (15)

15.1. The Court shall manage cases in accordance with the Overriding Objective as set out in Article (4) of these Rules and Procedures.

15.2. The Court has the power to give directions at any time as it considers appropriate to ensure the determination of any matter in a just, expeditious and economical

manner. The Court, in making directions, will have regard to the interests of the parties and to best international practice.

15.3. The Court may order case management directions on the application of any party or of its own initiative. Where it orders case management directions of its own initiative it may, but need not, give notice of its intention to do so. Where one party makes an application for a direction, the Court will normally give any other party an opportunity to make representations in relation to that application before any order is made.

15.4. Procedural directions in any case may be given by the Registrar alone, or by one or more of the Judges. Where the Registrar has given a procedural direction or order, any party wishing to challenge it can appeal to the Court, and any such appeal will be by way of an entirely fresh hearing before one or more Judges as determined by the President.

Chapter Seven

Statement of Case

Article (16)

16.1. All Claim Forms and other statements in any case shall contain a statement of truth.

16.2. A statement of truth is a statement by the party concerned verifying the truth of the contents of the Claim Form or other document of which it forms part. It shall be made by a concerned party or by a representative of a concerned party in the case, or by a legal representative on information from such a party.

16.3. The statement of truth shall take the following form:

"I believe [or, where a statement is made by a representative, "The [Claimant or Defendant] believes"] that the facts stated in this [Claim Form, Defence, etc.] are true".

Chapter Eight

Exchange of Pleadings

Article (17)

17.1. Proceedings are commenced by the issuing of a Claim Form.

17.2. A Claim Form is issued by the Registry on behalf of the Court. A party wishing to issue a Claim Form ("the Claimant") shall complete the Claim Form and invite the Registry to issue it. The Claim Form is issued on the date with which it is stamped by the Registry.

17.3. The Claim Form must include the following:

17.3.1. The names of the parties to the disputes (including, where possible, National Address (if available), a postal address, telephone/fax numbers, and email address(es)).

17.3.2. The nature of the dispute, setting out - as briefly as possible - any facts relied on, and attaching any documents that are of particular importance.

17.3.3. The basis on which it is alleged that the Court has jurisdiction.

17.3.4. The legal basis for the claim (identifying in particular, any provision of the Law or its regulations, or under any other relevant laws or rules or regulations relied upon).

17.3.5. The remedy sought by the Claimant.

17.4. Where a party is a legal person, the address details referred to in Article (17.3.1) above, are the details of the party's registered or principal office.

17.5. A Claim Form is valid for service for 60 days from the date of its issue by the Court Registry. It shall be considered struck out if not served within this period, without prejudice to the Claimant's right to re-file the claim.

Article (18)

18.1. The Claim Form, and any other documents which these Rules and Procedures require to be served, shall be served by the party concerned and not the Court.

18.2. Permission of the Court is not required to serve a Claim Form outside the State. The Claimant shall, however, ensure that the Claim Form is served in accordance with the rules for service applicable to the country concerned, including any applicable service convention.

18.3. Subject to the provisions of the previous paragraph of this Article, service of a Claim Form and of any other document which these Rules and Procedures require to be served, may be by:

18.3.1. Personal service.

18.3.2. Delivery to the party's home address or, in the case of a legal person, to its registered or principal office address (or National Address, where available).

18.3.3. Registered post to the address specified above.

18.3.4. Fax.

18.3.5. Any method that has been agreed by the parties or directed by the Court.

A party may serve a Claim Form electronically only with the permission of the Registrar or a Judge, if it appears that such service is likely to be received by the other party and is reasonable in all the circumstances.

18.4. The President may issue Practice Directions pursuant to Article (38(2)) of these Rules and Procedures, permitting amendment or extension of the permitted methods of service of the Claim Form and other documents.

18.5. The Claimant must notify the Registry as to the date and manner of service of the Claim Form.

18.6. Any document that is required by these Rules and Procedures to be served on a party must also be filed with the Registry.

Article (19)

19.1. If a Defendant wishes to challenge the jurisdiction of the Court, it must notify the Registry and the Claimant within 14 days of being served with the Claim Form.

19.2. A Defendant who wishes to challenge the jurisdiction of the Court must file an Application Notice with the Registry and serve it on the Claimant and any other parties, together with any supporting evidence, within 14 days of the notification specified in the previous Article.

19.3. Thereafter, the Court will give directions as to how the jurisdiction challenge is to be determined, including as to any evidence to be filed.

Article (20)

20.1. The Defendant must file and serve a Defence in response to the Statement of Claim or indicate that they admit all or part of it, within twenty-eight (28) days of service of the Statement of Claim, unless the Court directs otherwise.

20.2. The provisions of the preceding paragraph shall not apply where the Defendant has challenged the jurisdiction of the Court pursuant to Article (19) of these Rules and Procedures, unless the Court determines that it has jurisdiction.

Article (21)

21.1. The Claimant may serve a Statement of Reply to the Defence if it wishes. The parties may serve and file further statements setting out their case, but only with the permission of the Court.

Chapter Nine

Default Judgment

Article (22)

22.1. "Default judgment" means judgment issued without any hearings if the Defendant fails to file a Defence in accordance with these Rules and Procedures.

22.2. The Claimant may obtain default judgment by submitting a request to the Court Registry, where the claim is for:

- (a) a specified amount of money; or
- (b) an amount to be determined by the Court.

22.3. Upon submission of the request to the Court Registry, if the claim is for a specified amount, the Court may issue default judgment for the claimed amount. The Court has discretion to grant interest and costs as part of the remedy.

22.4. If the claim is for an unspecified amount, the Court may issue default judgment for the amount it determines and issue directions regarding future case management.

22.5. The default judgment shall include the names of the parties, the amount awarded (if applicable), and confirmation that it was issued due to the Defendant's failure to file a Defence. No further reasons shall be stated in the judgment.

22.6. The default judgment shall have the same effect as other judgments of the Court, and may be enforced in accordance with these Rules and Procedures.

22.7. The Defendant may apply to set aside or vary default judgment by submitting an application to the Court Registry and serving it on the Claimant.

22.8. The First Instance Circuit may set aside or vary the default judgment if it is satisfied that:

22.8.1. the Defendant has a real prospect of successfully defending the claim; or

22.8.2. it appears to the First Instance Circuit that there is another compelling reason, including:

(a) that the default judgment should be set aside or varied; or

(b) that the Defendant should be allowed to defend the claim.

22.9. When considering whether to set aside or vary default judgment, the circumstances to which the First Instance Circuit will have regard will include whether the Applicant has submitted an application expeditiously.

Chapter Ten

Court Decisions

Article (23)

23.1. If no prior directions have been issued in the case, the Court may, following the service of the Claim Form and the Defence or any jurisdictional challenge, issue directions as to the future management of the case.

23.2. A hearing may be set to decide directions if the Court so orders. This hearing may be held by telephone or video conference, as the Court sees fit, provided that the Registrar notifies the parties at least seven (7) days before the hearing date.

23.3. All directions will be given on a case-by-case basis, and the Court may make whatever directions it considers appropriate. Any directions in the Articles of

these Rules and Procedures which follow are for guidance only.

23.4. The parties may agree on directions proposed by any of them; in this event, such proposed directions should be forwarded to the Registry for approval.

23.5. The Court may direct that a matter or matters be tried separately, and in any order that it considers appropriate.

23.6. The Court may, if it considers that justice so requires, give summary judgment on a Claim or Defence or on any issue.

Article (24)

24.1. Where proceedings have been commenced and a party wishes to seek interim relief from the Court rather than a full trial, it may complete an Application Notice and serve it on the Respondent to the application.

24.2. The Application Notice must be filed at the Registry at the same time or as soon as possible thereafter.

24.3. Where proceedings have not yet commenced and a party wishes to seek the Court's assistance, for example on an urgent basis, it should in the first instance contact the Registry.

24.4. Any party served with an application from another party in relation to which the Court requires a Response, must respond to that application in writing within twenty-eight (28) days from the date of service, or within such other period as directed by the Registrar or a Judge. Its Response must be served on the Registrar and all parties to the application and must include the factual basis for the Response and any relevant documents.

24.5. All Application Notices and Responses must include a statement as follows:

"I believe that the facts stated in this [application] [response] are true".

24.6. The Court shall issue its decision on the application after the application has been served.

Article (25)

25.1. The Court may at any stage issue directions:

25.1.1. Permitting the amendment of the Claim Form or of any Statement of Case.

25.1.2. Adding or substituting any party or parties.

25.1.3. Permitting or requiring any party to provide further information in relation to its case.

Chapter Eleven

Alternative Dispute Resolution

Article (26)

26.1. The Court may at any time adjourn or stay proceedings so that the parties can attempt to settle their differences by mediation or by another form of alternative dispute resolution.

26.2. The Court may offer such assistance as the parties shall request or require, in order to encourage the resolution of the parties' dispute by means other than litigation.

Chapter Twelve

Disclosure of Information

Article (27)

27.1. The Court, if it considers it necessary, may give directions in relation to the disclosure of documents at any stage of proceedings or proposed proceedings.

27.2. In most cases, each party:

27.2.1. Shall be required to disclose to the other all documents or classes of

documents on which it relies.

27.2.2. Shall be entitled to request disclosure of all or any other relevant and specified documents or classes of documents from any other party.

27.3. The Court may direct that a party should not be required to disclose a document or part of a document if it considers that there is good reason for it not to do so.

27.4. Nothing in this Chapter is intended to remove or limit any right that any party may have to assert legal privilege or confidentiality over any document.

Chapter Thirteen

Witnesses and Experts

Article (28)

28.1. The Court may give directions as to:

28.1.1. How any matter in issue is to be established.

28.1.2. The provision of statements by witnesses of fact whom the parties propose to call at trial.

28.1.3. If necessary, allowing parties to call expert evidence.

28.1.4. The form and content of any experts' reports.

28.1.5. The number of experts who may be called.

28.1.6. The manner in which any witness evidence is to be given.

28.1.7. The provision of interpreters for witnesses, where necessary.

28.2. The Court may, if it considers it appropriate, appoint an expert or assessor to assist it in its determination of the case.

28.3. Any written statement made by a witness of fact should be verified with a

statement of truth in the following form: *"I believe that the facts stated in this witness statement are true"*.

28.4. An expert who provides a report or gives evidence before the Court must understand that:

28.4.1. Their duty is to assist the Court on matters within the expert's own expertise.

28.4.2. That duty is paramount and overrides any obligation to the person from whom the expert receives instructions or by whom the expert is paid.

28.4.3. The evidence of the expert should be their independent product, uninfluenced by the exigencies of litigation.

28.5. Any report produced by an expert should be verified with a statement of truth in the following form: *"I confirm that the facts stated in the report are within my own knowledge and I believe them to be true, and the opinions I have expressed represent my true and complete professional opinion"*.

28.6. The Court may, if it considers it appropriate, require any witness of fact, or any expert witness or assessor, to give evidence on oath or affirmation.

Chapter Fourteen

Hearings

Article (29)

29.1. The parties will be notified by the Registrar as to when and where any hearing will take place. At least 14 days' notice will be given.

29.2. The Court may give directions as to:

29.2.1. The venue of any hearing.

29.2.2. The language or languages in which any hearing or any part thereof is to

be conducted (including as to the translation of documents into Arabic if appropriate), subject always to Article (3.1) of these Rules and Procedures.

29.2.3. The length, timing and extent of any written or oral submissions to be made by the parties.

29.2.4. The adjournment of any hearing.

29.3. Hearings shall be in public unless the Court otherwise directs, but the Court may direct that all or part of the hearing should be in private where there is a good reason to do so.

29.4. The Court shall conduct all hearings in such manner as it considers most suitable given the issues raised by the dispute and in order to facilitate the just, expeditious and economical determination of the dispute.

29.5. If a party, having been given proper notice of a hearing fails to attend, the Court may, if it sees fit, adjourn the hearing, give directions or hear and determine the matter in the party's absence or make any other order that it considers just, including in the case of the hearing of an appeal, if it considers that there is not a good and sufficient reason for the non-attendance.

29.6. The Court may dispense with the oral hearing of an application if it considers it appropriate.

29.7. The Court may direct that any hearing takes place by video link or telephone if it considers it appropriate. The video link or telephone connection will be operated from the premises of the Court in the State, and all hearings by video link or telephone will be deemed to take place in the State.

Article (30)

30.1. The President or the Judge presiding over the Circuit deciding a case may determine who shall have rights of audience for that case. However, where no

direction has been made in relation to rights of audience, any qualified lawyer who is entitled to appear before the superior courts in the State or of any other jurisdiction shall have rights of audience.

Chapter Fifteen

Joinder and Consolidation of Claims

Article (31)

31.1. Where two or more Claim Forms have been filed:

31.1.1. in respect of the same matter; or

31.1.2. in respect of separate interests in the same subject in dispute; or

31.1.3. which involve the same or similar issues,

the Court may, if it considers it appropriate, direct that the cases or any particular issue or matter raised by the Claim Forms may be consolidated or heard concurrently.

Chapter Sixteen

Failure to comply with Court Orders

Article (32)

32.1. Where a party has, without reasonable excuse, failed to comply with any directions or an order of the Court or a provision of these Rules and Procedures, the Court may:

32.1.1. Make a costs order against that party in accordance with Article (34) of these Rules and Procedures.

32.1.2. Dismiss the claim or application wholly or in part where the party is a Claimant or Applicant.

32.1.3. Where that party is the Defendant or Respondent, strike out the whole or part of the Defence or Response to the application where appropriate; or, direct that the Defendant be debarred from contesting the proceedings or application.

32.2. The Court shall make no order under this Chapter without giving the party in question notice affording that party an opportunity to make representations against the making of such an order.

32.3. Any irregularity resulting from failure to comply with any provision of these Rules and Procedures or with any direction of the Court before the Court has issued its decision, shall not affect the validity of the proceedings or of any decision made by the Court.

Chapter Seventeen

Judgments, Decisions, and Orders

Article (33)

33.1. The Court shall communicate its judgment, decision or order in relation to any application or case before it to the parties without delay, and where possible within the timeframe prescribed by paragraphs (10) and (13) of Schedule 6 to the Law. The Court shall give reasons for its judgments and decisions. Any judgment, decision or order of the Court is effective from the moment of its pronouncement.

33.2. Where the Judges of the Court, either in the First Instance or Appeal Circuit, are unable to reach a unanimous decision, the judgment of the Court shall be by majority decision.

33.3. Where the Court's decision is that of a majority, any Judge in the minority may give a dissenting opinion to the judgment. In this case, the dissenting Judge may record their opinion in writing, to be attached to the judgment.

33.4. A certificate signed by the President, or in case the President is unavailable, by the Judge presiding over the case, stating that the Court made a specified decision or made a specified finding of fact on a specified day is:

33.4.1. conclusive evidence of the decision of the Court made on that day; and

33.4.2. evidence of the relevant finding of fact or law.

33.5. The Court has the power to correct any accidental slip, either on the application of any party within 14 days of the communication of that decision or judgment to the party concerned, or on its own initiative.

Chapter Eighteen

Costs

Article (34)

34.1. The Court shall make such order as it thinks fit in relation to the parties' costs of proceedings.

34.2. The unsuccessful party pays the costs of the successful party. However, the Court can make a different order if it considers that the circumstances are appropriate.

34.3. In particular, in making any order as to costs, the Court may take account of any reasonable settlement offers made by either party.

34.4. Where the Court has incurred the costs of an expert or assessor, or other costs in relation to the proceedings, it may make such order in relation to the payment of those costs as it thinks fit.

34.5. In the event that the Court makes an order for the payment by one party to another of costs to be assessed if not agreed, and the parties are unable to reach agreement as to the appropriate assessment, the assessment will be made by the Registrar, subject to review if necessary by the Judge.

Chapter Nineteen

Enforcement of Judgments and Orders

Article (35)

35.1. Any judgment, decision or order of the Court is considered a judgment, decision or order issued by the Qatari courts, and capable of enforcement and execution by a court of the State, as would a judgment, decision or order of any other Qatari court. All relevant competent agencies and authorities of the State shall give effect to a judgment, decision or order of the Court as if it were issued by any court in the State, and all such agencies and authorities shall take such actions and provide such cooperation to the Court as shall be necessary to effect the enforcement of the Court's judgments, decisions and orders.

35.2. A person commits a contravention of a judgment, decision or order of the Court if, without reasonable excuse, the person does the following:

35.2.1. Fails to comply with a judgment, decision or order issued by the Court.

35.2.2. Having been required by the Court to attend a hearing, does not attend or leaves the place where attendance is so required without the permission of the Court.

35.2.3. Hinders or deters any person from attending a hearing, giving evidence or producing any item, record or document, for the purposes of any case before the Court.

35.2.4. Threatens or causes any loss to any person who has been invited to attend a hearing.

35.2.5. Engages in conduct that is intended to obstruct the Court in the exercise of any of its powers, including, without limitation:

(a) The destruction of documents.

(b) Giving information that is false or misleading.

(c) Influencing witnesses or Judges.

35.3. The Court shall have the power to enforce its own judgments, decisions and orders, and to deal with contraventions of its judgments, decisions and orders and matters relating to contempt:

35.3.1. by the levy of fines; and/or

35.3.2. by the making of any order that it considers necessary in the interests of justice; and/or

35.3.3. by referring the matter to a relevant competent agency or authority of the State.

35.4. The Enforcement Judge of the Court is primarily responsible for the enforcement of the Court's judgments, decisions and orders, and any application in connection therewith should be made in the first instance to the Enforcement Judge.

35.5. Where the involvement of any relevant competent agency or authority of the State is required for the enforcement of any judgment of the Court, and that judgment has been given in English, the judgment shall be translated into Arabic for the purposes of enforcement only.

Chapter Twenty

The Appeal Circuit

Article (36)

36.1. The President may form a Circuit of three Judges of the Court to review appeal applications against judgments of the First Instance Circuit of the Court - before these applications are presented to the Appeal Circuit - granting permission for the appeal applications to be submitted to the Appeal Circuit, or refusing it. Decisions to refuse appeal applications are final.

36.2. The Appeal Circuit shall have the power to hear appeals from determinations and decisions of the Regulatory Tribunal as set out in Article 8(3) of the Law, but only:

36.2.1. If the Regulatory Tribunal has made a determination in relation to its jurisdiction and there is a dispute in relation to that determination; or if there are substantial grounds for considering that a judgment or decision is erroneous and there is a significant risk that that decision will result in serious injustice.

36.2.2. With the permission of the President or with the permission of two of the Judges.

36.3. An application for appeal must be filed with the Registry within 30 days of the date of the judgment or decision sought to be appealed (in the case of applications where permission to appeal has not yet been granted, an application for permission must be filed with the Notice for Appeal), as set out in paragraph (12) of Schedule 6 to the Law. The Notice of Appeal shall be in the form of an Application Notice, adapted as appropriate, and shall set out the grounds of the appeal.

36.4. As prescribed by Article (8(3)(a)) of the Law, the Appeal Circuit shall be comprised of the President and two Judges (unless the President is incapable of performing his duty or where the sitting of the President would not be in the interests of justice). The President shall determine the composition of the Court for the hearing of an appeal.

36.5. Neither the President nor any Judge shall hear an appeal concerning a decision, judgment or order of the Court, of which the President or Judge, as the case may be, formed part.

36.6. An appeal, whether from a judgment of the First Instance Circuit or from a decision or determination of the Regulatory Tribunal, shall be by way of review,

and shall not be a rehearing,

36.7. The Appeal Circuit may issue any decision or order that could have been made by the First Instance Circuit.

Chapter Twenty-One

Final Provisions

Article (37)

37.1. Pursuant to QFC Regulations, any applications to competent authorities must comply with the judicial procedures specified in those rules, procedures and laws, and under any relevant rules or regulations.

37.2. Where no procedures are laid down, the parties shall follow the procedures set out in these Rules and Procedures and their amendments, where appropriate.

Article (38)

38.1. These Rules and Procedures can be amended with the approval of the Council of Ministers.

38.2. The President may issue Practice Directions or a Practice Guide in relation to the procedures to be followed before the Court, and the management and determination of Small Claims.