

The Council of Ministers,

After perusal of the **Constitution**,

the **Income Tax Law** promulgated by Law No. (24) of 2018,

Emiri **Resolution No. (29) of 1996** regarding the resolutions of the Council of Ministers, which are submitted to the Emir for ratification and issuance,

Emiri **Resolution No. (77) of 2018** Establishing the General Authority for Taxes,

and the **Executive Regulations for the Income Tax Law** promulgated by Law No. (21) of 2009, issued by the Minister of Economy and Finance Resolution No. (10) of 2011,

On the proposal of the Minister of Finance,

it has been decided the following:

Issuance Articles

Article 1- Issuance

The provisions of the Executive Regulations of the **Income Tax Law** promulgated by Law No. (24) of 2018 attached hereto shall be applied.

Article 2- Issuance

Resolution of the Minister of Economy and Finance No. (10) of 2011 referred to shall be canceled, besides every provision that contradicts the provisions of this resolution and the regulations attached thereto.

Article 3- Issuance

All competent authorities, each within its competence, shall implement such resolution. It shall come into effect as of the day following the date of being published in the Official Gazette.

Part One: Tax Scope of Application

Chapter I: Taxable Income

Article 1

In the application of the provisions of Articles (2) and (3) of the Law, the following shall be included in the income gained within the State, in particular:

- 1- The gross income achieved by the resident taxpayer for a Business carried out in the State .
- 2- Capital gains arising from the disposal of real estate located in the State, or the disposal of shares, equity, and any tangible or intangible assets of a Business that is carried out within the State. .
- 3-The income generated by a permanent establishment for a Business carried out in the State. The permanent establishments include the following:
 - (a) A construction site, construction, assembly or installation project, or a supervisory activity related to the project, provided that the

site, project or Business lasts for more than (6) six months.

(b) The activity of providing services, including advisory services by employees or other users, provided that the activity continues within the State for periods of more than (183) one hundred and eighty-three days within (12) twelve months.

Income derived by a non-resident person from any Business practiced in the State, which is similar to a Business provided by a relevant permanent establishment, even if such income is related to a single transaction.

Income derived by a non-resident person who has no permanent establishment in the State, provided that he engages in a Business therein through appointing a resident acting on his behalf, in the following cases:

(a) In case the resident person enters into contracts or has a principal role therein in the name of the non-resident person without making substantial modification, whether such contracts relate to the transfer of ownership of assets, the granting of rights to use the same, or the provision of services, by the non-resident.

(b) In case the resident person maintains a stock of commodities or merchandise to be disposed of on behalf of the non-resident person .

Income derived by a non-resident person who has no permanent establishment in the State or does not have a person acting on his behalf in the following cases:

(a) If the Business is represented in the form of processes constituting an integrated commercial cycle in the State. The series of commercial, industrial or craft processes that result in the achievement of income or profit are considered as integrated commercial cycle, as the whole processes are consistent, such as purchases followed by sales.

(b) If the Business included providing services in the State. Hence, such services shall be deemed to have been completed in the State if they are carried out, consumed, used or utilized in the State.

Chapter II: Tax Exemptions

Article 2

1-The interest and bank returns stipulated in Article (4/Clause 1) of the Law shall include the income accrued to the natural person from savings accounts, deposits and other investment instruments related to other banks or Islamic banks.

2- The interests and returns of public debt securities, Islamic securities, and bonds of public authorities and institutions ,stipulated in Article (4 / Clause 2) of the law, include the profits realized from the disposal of such securities and bonds .

3- In the application of the provisions of Article (4/Clause 3) of the Law, real estate and securities belonging to the assets of a taxable Business shall mean those belonging to the assets of the taxable Business carried out by the taxpayer. Securities include shares and bonds of Qatari joint stock companies and any other securities that are licensed for trading, besides other investment instruments, and all that are considered as such in accordance with the provisions of the applicable legislations.

4- For the purposes of Article (4/Clause 4) of the Law, and in the event of a breach of any of the conditions stipulated in such Clause, capital gains arising from the revaluation of the assets of the Company shall be subject to tax starting from the year of benefiting from the tax exemption.

5- Taking into account the provisions of sub-clauses (a) and(b) of the aforementioned clause (5), the tax exemption stipulated in Article (4/Clause 5) of the Law shall include the surplus distributed by the liquidator to the partners after repaying the debts of the Company and returning the monetary value of the partners' capital shares thereto.

6-Machines, provided for in Article (4 / Clause 6) of the law, mean the tools and equipment that are used to make the final product, excluding small and manual tools and equipment that are used to facilitate or complete the work of the craftsman.

The average number of workers during the tax year is calculated by calculating the number of workers multiplied by the number of days, in which such workers carry out their tasks, then the total number shall be divided by (360) three hundred and sixty days.

Establishments used for storage only shall not be considered when calculating the number of establishments through which the Business is carried out.

7-The exemption stipulated in Article (4/Clause 7) of the Law shall apply to the gross income arising from agricultural and fishing activities only and shall not apply to any industrial or commercial activity complementary to or related to any of such activities.

8- For the purpose of the application of Article (4/Clause 8) of the Law, profits made in the State by an air or sea navigation company residing in another State and resulting from the operation of aircraft or ships in international transport shall be exempted from income tax. Such exemption shall be in accordance with the tax value that the Qatar Navigation Company is exempted from in that State regarding its profits derived from the operation of aircraft or ships as per the nature of the activities resulting from such profits, on the basis of a certificate issued by the tax authorities of that State or a mutual Exemption Agreement.

9- The tax exemption stipulated in Article (4 / Clauses 3 and 11) of the law, shall be applied provided that the persons are residents of the State.

10-The tax exemption stipulated in Article (4/Clause 10) of the Law shall be applied under the following conditions:

- (a) The juristic person shall be a resident of the State.
- (b) The juristic person shall maintain accounting records conforming to the accounting standards applicable in the State.
- (c) Qataris shall be residents of the State.
- (d) Qataris be the beneficial owners of the juristic person.
- (e) Qataris shall own the entire capital during the accounting period in which the exempted income is realized.

11-The tax exemption stipulated in Article (4/Clause 11) of the Law shall be granted under the following conditions:

- (a) The juristic person eligible for exemption and the juristic persons mentioned in paragraphs (b) and(c) of Article (4/Clause 11) of the Law shall maintain accounting records in conformity with the accounting standards applicable in the State.
- (b) The persons owning the exempted profits shares shall be residents of the State and owners of such shares throughout the accounting period in which the exempted income is applied.
- (c) Qatari natural persons shall be the direct owners and beneficiaries of the juristic person mentioned in paragraphs (b) and(c) of Article (4/Clause 11) of the Law.

12- For the purposes of Article (4/Clause 13) of the Law, the exemption stipulated with regard to the share of the non-Qatari investor shall not apply to his share in the profits of the companies owned by the company whose shares are offered for trading in the financial market within the State.

13. Subject to the provisions of Act No. 9 of 1989 concerning the equality of citizens of the GCC in tax transactions, the same exemptions shall apply to citizens of the GCC, in accordance with the controls established for Qatari nationals under Article 4 of the Law.

Chapter III: Accounting Period

Article 3

1- The tax year represents the accounting period for the taxpayer who carries on the Business, i.e. (12) twelve months, taking into account the following:

(a) Should the taxpayer start his Business after the beginning of the tax year, the first accounting period shall be calculated as of the date of commencement of the Business, and the taxpayer shall close the same at the end of the tax year in which the Business commenced, provided that the accounting period is not less than (6) six months. In case the accounting period is less than 6 months, Business shall be closed at the end of the following tax year.

(b) In the event of liquidation of the Business, the accounting period shall extend from the date of the end of the previous accounting period to the date of the end of the liquidation, provided that the accounting period does not exceed (12) twelve months. In case the accounting period exceeds 12 months, a new accounting period shall begin.

C- In the event of the close, waiver or sale the Business, the accounting period shall start from the date of the end of the previous accounting period to the date of closing, waiver or sale, provided that the GTA is notified thereof within the legal period. Cases of closing, waiver or sale of the Business include, but are not limited to, the merger, acquisition or division of the company pursuant to the provisions of the law regulating commercial companies. The period between the end of the accounting period before the waiver or sale of the activity and the beginning of the new accounting period shall be deemed as an independent accounting period, provided that it is not less than (6) six months. In case the said period is less than 6 months, it shall be added to the first accounting period after the waiver or sale.

(d) Should the taxpayer carry out a temporary Business that does not exceed (18) eighteen months, the accounting period shall be considered as the Business period.

(e) In all cases, the tax shall be calculated on the basis of the income earned during the accounting period.

2-The taxpayer may request to set a different accounting period in the following cases:

(a) In case the taxpayer is a member of a group of companies, or a branch of a foreign company, which uses an accounting period different from the tax year, he may request approval of the accounting period set by the group, the parent company or the head office;

(b) In case the nature of its Business requires the use of an accounting period different from the taxable year.

3- In the event of a change in the accounting period, the period between the end of the accounting period before the change and the beginning of the new accounting period shall be deemed as a separate accounting period, provided that it is not less than (6) six months. In case the said period is less than 6 months, it shall be added to the first accounting period after being amended.

4- In case taxpayers desire to set a different accounting period, they shall submit an application to the GTA at the time of submitting the registration application, or within a maximum of thirty (30) days prior to the expiry date of the previous accounting period for which the taxpayer is in the process of submitting the relevant tax return and the financial statements. Failure by the GTA to respond to the application within sixty (60) days from the date of its submission shall be deemed an implicit rejection thereof.

5-The GTA may withdraw the approval to set an accounting period different from the tax year if necessary. The withdrawal shall have effect only from the date of the end of the accounting period during which the withdrawal resolution has been issued. The first accounting period after the effective date of the withdrawal resolution shall be deemed as the first accounting period after the change, in accordance with Clause (3) of this Article.

Article 4:

1-Taking into account the provisions of the law and these regulations, the taxpayer shall determine his income on the basis of the accrual accounting applicable in commercial accounting, and in accordance with the accounting standards in force in the State. Income shall be recorded in accrual accounting if the taxpayer is entitled to receive the same even if it is paid deferred or in installments. Expenses are recorded when the obligation relating thereto arises, i.e. by the occurrence of the fact related to the obligation, regardless of the date of payment.

2- A taxpayer whose gross income does not exceed (1,000,000) million riyals during the previous accounting period may apply to the GTA to approve the determination of his taxable income on the basis of the monetary principle. In this case the income shall be calculated upon receipt or when it is ready for receipt. The expenses shall be calculated upon payment thereof. The GTA shall respond to the application within (60) sixty days. Failure by the GTA to respond to the application within the said period shall be deemed an implicit rejection thereof. If the gross income exceeds such amount, the taxpayer shall adopt accrual accounting.

3- The annual gross income for long-term contracts shall be determined by following the method of work performed pursuant to the accrual principle .

Long-term contracts mean the contracts executed by the taxpayer for the benefit of others on the basis of a specific value and whose actual duration exceeds (18) eighteen months.

4- Subject to the exemptions stipulated in Article (4) of the Law, capital gains arising from the disposal of shares or equity of companies resident in the State within the framework of a merger of companies or a total division of companies within the taxable income of the merged company or the company subject to division shall be subject to the tax year in which the merger or division took place, as the case may be.

Part Two: Tax Calculation

Chapter I: Taxable Income

Article 5

1- In order to determine the gross income, all revenues arising from the transactions carried out by the taxpayer, including the disposal of assets and incidental operations, shall be taken into account, unless exempted. The compensation due for the damage of an asset shall follow the provision of income arising from the disposal of such asset. The excess value resulting from the revaluation of assets shall not be taken into account, unless it is actually realized .

2- The excess value arising from the disposal of tangible and intangible assets shall be calculated as follows :

(a) In the case of disposing of non-depreciable assets, the excess value shall be calculated on the basis of the difference between the value of consideration received for the asset or the market price, whichever is higher, and the cost of the asset. .

(b) In the case of disposal of depreciable assets, the excess value shall be calculated on the basis of the difference between the value of the consideration received for the asset or the market price, whichever is higher, and the net book value.

(c) In the case of disposal of the equity of juristic persons, the excess value shall be calculated on the basis of the difference between the sale price or fair value, whichever is higher, and against the share of the seller in the capital, provided that all supporting documents are submitted, and taking into account all the circumstances related to the transaction.

(d) In the event of disposition of real estate owned by non-residents who are not engaged in a Business within the State, the excess value shall be calculated on the basis of the difference between the selling price or the market price, whichever is higher, and the cost of ownership of the property.

3-In order to determine the taxable income, expenses and costs that meet the following conditions shall be deducted from the gross income:

(a) To be necessary for the purposes of the Business, without which the gross income would not be realized, excluding the costs incurred for personal purposes or other Business;

(b) To be effectively borne and supported by documents, including in particular contracts, invoices, receipts and others. In the case of depreciation and deductible provisions, such condition shall be applied provided that the depreciation or provision is recorded in the accounting, besides providing the supporting documents. .

(c) The value of fixed assets used in the Business shall not increase, and fixed assets shall be determined in accordance with the accounting standards applicable in the State.

(d) The expenses and costs shall be related to the relevant tax year and recorded in the accounting system .

4- The taxpayer may deduct the losses incurred during the tax year from the net income of subsequent years pursuant to the provisions of Article (7) of the law, subject to the following :

(a) Failure to carry forward losses for more than five (5) years commencing after the end of the tax year in which they were realized.

(b) Failure to deduct losses arising from an exempt or non-taxable source of income.

Article 6

The taxpayer may not deduct the expenses and costs incurred to obtain tax-exempt income, as stipulated in Article (8 / Clause 1) of the law. In case part of his income is exempt from tax and another part is subject to tax, the expenses and costs shall be deducted within the limits of the taxable income. Such limit shall be calculated, in the absence of accurate and regular data, by dividing the taxable revenues by the total revenues achieved by the taxpayer. .

Article 7

1- Subject to the provisions of the Tax Agreements, the share of the permanent establishment shall be deducted from the administrative and general expenses of the center or headquarters outside the State under the following limits:

(a) (1%) of the gross income of the permanent establishment in relation to banks and insurance companies.

(b) (3%) of the gross income of the permanent establishment in other cases.

The aforementioned shall be conducted after deducting the following :

- The value of contracting and subcontracting Agreements .

-The cost of work performed abroad.

-The value of external supplies related to the activity of the permanent establishment.

- The value of the amounts paid for reinsurance premiums .

Amounts paid by the permanent establishment to the headquarters or to its other branches, other than actual expenses in the form of royalties, fees or other similar payments, shall not be deducted for the use of patents or other rights or for services rendered to the permanent establishment.

Subject 8

1- Taking into account the discount conditions stipulated in Article (5 / Clause 3) of this regulation, the total expenses spent on entertainment, hotels, restaurant food, vacations, club subscriptions and gifts to clients, as stipulated in Article (8 / Clause 5) of the law, within the limits of (2%) of the total net income before making this deduction for the same accounting period or (500,000) five hundred thousand riyals, whichever is higher. In all cases, expenses spent outside the State for these purposes shall not be deducted except within the limits of (500,000) five hundred thousand riyals.

2- Total gifts, donations, subsidies, and subscriptions to charitable works or paid in the State to any licensed non-profit entity in the

State shall be deducted, provided that their value does not exceed (3%) three percent of the net income before applying such deduction. The amounts of Zakat paid by the taxpayer shall be deemed as donations and deducted according to the same limits and controls.

Article 9

Salaries, wages, remunerations and the like, including benefits in kind, paid to directors shall not be deducted, except for their salaries as employees of the same company.

Article 10

1- Interest on loans, and the like, paid by the taxpayer to related parties as defined by the International Accounting Standards, shall be deducted within the limits of the interest calculated on loans not exceeding three times the equity recognized by accounting records during the accounting period concerned, provided that the loan contributes to achieving economic benefits therefor, under an agreement between the relevant parties specifying the duration and purpose of the loan.

2- Interest paid from a permanent establishment in the State to the head office or headquarters or to any entity affiliated therewith inside or outside the State may not be deducted.

3- Interest paid to the owner of an individual establishment may not be deducted against the amounts deposited in his establishment.

Article 11

The following expenses and costs may not be deducted :

1- Income tax paid by the taxpayer inside the state and taxes incurred by the taxpayer outside the state .

2- Income tax incurred by the taxpayer in lieu of a non-resident person.

3- Indirect taxes that may be deducted or recovered in accordance with the provisions of the regulating law.

Article 12

Bad debts shall be deducted in case the following conditions are met:

- 1- The bad debt shall have been previously included in the taxpayer's taxable revenues in the year of maturity of the debt .
- 2- At least twenty-four months shall have passed since the maturity date of the debt .
- 3-The taxpayer shall have made sufficient allocations to cover the bad debt.
- 4- The taxpayer shall prove that it is impossible to collect the debt despite taking the legal procedures for such purposes.
- 5- The taxpayer shall submit a certificate from the auditor stating that the debt has been written off from the books in accordance with the applicable principles. .
- 6- A list of bad debts shall be attached, according to the form approved by the GTA, when submitting the tax return for the year concerned.
- 7-The taxpayer shall be obligated to include the debt within his revenues in the year of collection in the event that the debt is collected after being considered as a bad debt.

Article 13

Only the following provisions shall be applicable to discount:

Provisions for doubtful debts for banks and financing companies, in accordance with the following controls:

- (a) These provisions shall have been formed in accordance with the limits and instructions issued by the Qatar Central Bank (QCB) .
- (b) If the purpose of the allowance for doubtful debts ceases to exist during a year, the part of the allowance that was deducted under Paragraph (A) of Clause (1) of this Article shall be returned to the taxable income. .

2- Applicable risk provisions and compensation provisions under the settlement consisting of insurance and reinsurance companies, provided that these provisions have been formed in accordance with the limits and instructions issued by the QCB. In the absence of such instructions, these provisions shall be deducted, provided that the applicable risk provision does not exceed (10%) of the net income before deducting these provisions, hotel and entertainment expenses and other expenses stipulated in Article (8/Clause 1) of these Regulations, besides the donations, subsidies and other amounts stipulated in Article (8/Clause 2) of these Regulations.

The applicable risk provision means the amount allocated by the insurance and reinsurance companies at the end of the accounting period to meet their obligations towards the risks that may materialize with respect to the insurance policies issued before the end of that accounting period and valid during the next accounting period. .

The provision for compensation under settlement means the amount allocated by insurance and reinsurance companies at the end of the accounting period to meet their obligations towards accidents that occurred and were notified of before the end of that period and are still under the settlement or have not been paid yet . .

Depreciation may not be deducted for the following assets:

- 1- Lands .
 - 2- Reputation or commercial goodwill and the like .
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Article 15

Subject to the conditions stipulated in Article (5/Clause 3) of these Regulations, the depreciation premium of fixed assets shall be deducted if the following conditions are met:

- 1-The asset subject of depreciation shall be a fixed asset, in accordance with the definition contained in the accounting standards applicable in the State.
- 2-The asset shall be fully used for the purposes of a taxable Business, and if it is partially used for the purposes of a taxable activity, the depreciation shall be deducted only within the limits of such use.
- 3- The asset shall be depreciable, so that its value decreases due to use, the passage of time or technological progress.
- 4-The asset shall be the property of the taxpayer under documents proving ownership, such as certificates of ownership, contracts and others.

Depreciation is calculated from the date of actual use or exploitation on the basis of the total cost actually incurred to acquire the asset and prepare it for use.

Article 16

1- Depreciation by the taxpayer on the basis of the rules set forth in the accounting standards in force in the State shall be deducted without exceeding the fixed deductible depreciation premium that is calculated on the assets owned by the taxpayer, including buildings constructed on the property of others, at the following maximum rates:

Assets	Maximum percentages
Intangible assets:	
Pre-activity expenses.	50%
Capitalized R&D Expenses.	20%
Trademarks, patents and the like.	15%
Tangible assets:	

1. Buildings and structures excluding land value:	
Sturdy buildings and structures.	5%
Prefabricated lightweight buildings.	10%
Roads, bridges, railways and electrified railways.	5%
Pipelines, tanks and docks.	5%
Pipelines and filtering equipment within the refinery and small tanks.	10%
Networks and Channels.	5%
2. Transportation:	
Means of transportation of goods and people including cars, vehicles, tractors, trailers, cranes and motorcycles.	20%
Ships and boats.	10%
Airplanes and pontoons.	20%
Rail transport and electrified rail transport.	10%
3. Machinery, equipment and supplies:	
Computer hardware, software and accessories.	33,33%
Machinery, equipment and electrical appliances.	20%
Industrial machinery, equipment and supplies.	20%
Machinery and equipment for public works and construction.	20%
Drilling tools	15%
Air Conditioners	25%
Lifts for people or goods and auto-walk.	15%
Furniture and office equipment	15%
Gas transmission and distribution equipment.	5%
Equipment for the production, transmission and distribution of electricity and water.	5%
Machinery, equipment and other fixtures.	15%
4. Hotels, inns, resorts, restaurants, cafés and lounges:	
Cooking and washing machines.	20%
Glass kitchen utensils.	50%
Other kitchen utensils.	25%
Furniture, furnishings and decoration works.	25%
Swimming pools and relevant supplements.	15%

2- Depreciation of the expenses of major repairs carried out by the taxpayer shall be deducted on the assets referred to in Clause (1) of this Article at the same maximum percentages specified for the asset subject to repairs.

3-The taxpayer may fully depreciate fixed assets whose value does not exceed (5,000) five thousand riyals during the first tax year of their use.

4-The net book value of the assets that are destroyed or put out of service shall be deducted from the net income for the year in which they were destroyed or put out of service, provided that the supporting documents are kept. Income arising from the disposal of such assets in any manner shall be taxable in the year in which it is realized.

5-The taxpayer may apply for one and a half times the maximum consumption percentages specified for machines and equipment used in industrial activities that are operated on two working cycles. However, in case these machines and equipment are operated on three or more working cycles, the double percentages shall be applied.

Article 17

The depreciation rates stipulated in the preceding Article may be increased by a decision of the Minister if the taxpayer submits a request to the GTA based on reasonable grounds that take into account the nature of the activities and the characteristics of the assets.

Failure of the Minister to respond to the request within sixty (60) days from the date of its submission shall be considered an implicit rejection.

Article 18

Subject to the provisions of Articles from (14) to (17) hereof, the provisions and controls stipulated in the International Accounting Standards shall apply in regard to the depreciation of assets subject to financial or operational leases.

Article 19

A person who has a liberal profession may choose to deduct (30%) of the gross income in lieu of all expenses and costs allowed to be deducted, and to pay the tax on the basis of (70%) of the gross income.

The above-mentioned shall be based on a written request or by electronic means determined by the GTA for the year concerned.

Failure by the GTA to respond to the request within (60) sixty days shall be considered as acceptance thereof.

Such option shall remain valid for subsequent years until the taxpayer determines to amend the same based on a request attached to the tax return.

The liberal profession means the Business carried out by the taxpayer independently, and is based on the use of scientific, technical or practical knowledge and expertise.

Article 20

Commissions paid by foreign companies to their local agents shall not be deducted except within 3% of the total actual revenue of the activity.

Chapter II: Withholding Tax

Article 21

1- Withholding Tax shall be subject to the amounts stipulated in Article (9/Clause 2) of the Law, paid by natural persons who carried out an activity in the State, and juristic persons residing in the State, including ministries, other government agencies, public entities and institutions, as well as permanent establishments in the State belonging to persons who are not residents in the State.

With the exception of the amounts owed by ministries, other government agencies, besides public entities and institutions, such amounts shall be deemed to have been effectively paid after the lapse of (12) twelve months maximum from the date of maturity of such payments.

Administrative and general expenses of the head office stipulated in Article (7) of these Regulations shall not be subject to withholding tax.

2-The fees for the services stipulated in Article (9/Clause 2) of the Law shall be subject to withholding tax by (5%) of the total amount, without deducting any costs, in case these services are rendered in whole or in part in the State.

The service shall be deemed to have been rendered in whole or in part in the State if any work necessary for its provision has been carried out within the State, including in particular the collection of data, inspection of sites and provision of the service, even if this is rendered by a person other than the taxpayer. The delivery of the service shall not be considered as a requirement for its provision.

Services shall be deemed to be rendered in the State as long as they are used, consumed or utilized in the State, even if they are carried out wholly or partly outside the State.

3-In accordance with Article (9/Clause 2) of the Law, the withholding tax shall not be applied to the following activities, :

- (a) Reinsurance.
- (b) Shipping and sale of tickets.
- (c) Maritime transport of petroleum and its derivatives, as well as of manufactured materials deriving therefrom.

4- The following interest shall not be considered as interest subject to withholding:

- (a) Interest on deposits in banks operating in the State.
- (b) The interest of bills and bonds issued by the State and by public entities, institutions and companies wholly or partly owned by the State.

(c) Interest on transactions, facilities and loans with banks and financial institutions.

(d) Interest paid by a permanent establishment in the State to the head office or to an entity of the head office outside the State.

Article 22

1- In the event that a Double Taxation Avoidance Agreement (DTAA) is in force, the non-resident person or his representative who has been subject to withholding tax in accordance with the percentage and controls stipulated in Article (21) of these Regulations shall submit to the GTA a request to apply the provisions of such Agreement to the form prepared by the GTA for this purpose. In the event that the request is accepted, the GTA shall refund the tax in accordance with the recovery procedures stipulated in Article (47) of these Regulations.

2-The circulars issued by the GTA from time to time regarding the application of some DTAA's shall be taken into account.

The Minister may issue a decision specifying special mechanisms for the application of withholding tax provisions and the application of DTAA's, provided that the decision issued in this regard determines the cases, conditions, procedures and guarantees for the application of such mechanisms.

3- Withholding tax in accordance with the percentage and controls stipulated in Article (21) of this Regulation shall apply to the amounts paid to non-resident companies wholly or partially owned by Qatari citizens and citizens of the GCC .

Article 23

Tax shall not be withheld on the amounts paid to persons who have been issued a tax card in accordance with the provisions of Article (26) of these Regulations or persons registered with the Qatar Financial Centre. The same shall be applied, in particular, to payments made to a permanent establishment owned by a person who is not a resident of the State.

Article 24

Before the sixteenth day of the month following the month in which the withholding tax has been made, the tax shall be withheld and delivered to the GTA using the form prepared by the GTA for this purpose. The person carried out the withholding tax process shall issue a certificate to the deducted beneficiary on the form prepared by the GTA for this purpose.

Part Three Tax Obligations

Chapter I Registration and Notification

Article 25

1-In accordance with the provisions of Article (10/Clause 1) of the Law,the taxpayer shall be obliged to register with the GTA and apply for a tax card, by virtue of an application submitted to the GTA using the form prepared for this purpose, attached with the documents specified by the GTA for this purpose. Such application shall be submitted within sixty (60) days from the date of obtaining the approval of the competent authority to commence the Business or register in the Commercial Register or as of the first day of income realization, whichever is earlier, or on the same day of registration for any other tax purposes.

2-The GTA shall register ministries, government agencies, public entities and institutions, private associations and institutions, charitable associations and private institutions of public benefit subject to the obligation of withholding tax in accordance with the provisions of the Law and these Regulations. A special registration number shall be issued upon submission of the first statement of the amounts withheld and payment thereof to the GTA .

3-Without prejudice to the obligation to pay the tax and impose the financial penalties due for the pre-registration period, in case the registration conditions are met and the taxpayer fails to submit the registration application within the dates stipulated in Clause (1) of this Article, the GTA may register the taxpayer and notify him thereof, in accordance with the provisions of the Law and these Regulations.

4- In the event that the taxpayer notifies the GTA of the closing, waiver or sale of the Business and settling his tax status for the Business in accordance with the provisions of the Law and these Regulations, the GTA shall issue the taxpayer with a certificate of non-objection to the consideration of this disposition.

5-The GTA may permit any other governmental entity to register upon registration in the Commercial Register or the issuance of a commercial license, as the case may be, in accordance with the mechanism agreed upon.

Article 26

1-The GTA or any other governmental entity authorized in accordance with Clause (5) of the preceding Article shall issue one tax card to each person who is obliged to register in accordance with the provisions of the Law and these Regulations, including the following data in particular :

A- The name and address of the taxpayer.

B- Tax number.

C- C.R. No. or license.

D- Number of branches.

E- Date of commencement of the activity or realized income.

F- The date of issuance and expiry of the tax card.

2-The GTA shall not issue a tax card, for income tax purposes, to non-resident taxpayers who have no permanent establishment in the State.

Article 27

The resident taxpayer or the taxpayer owning permanent establishment in the State shall notify the GTA of any change that may affect his tax obligations, within (30) thirty days as of the date of the change, by any means whatsoever. Without prejudice to the imposition of financial penalties pursuant to the provisions of the law, any change affecting tax obligations shall be subject to deficiency only from the date of actual notification to the GTA. These changes include, in particular:

- 1- Ownership of the company or establishment.
 - 2- Nature of the Business.
 - 3- Number of branches.
 - 4- Address of the company or establishment.
 - 5- Engaging in tax-exempt projects.
 - 6- Registration in one of the regions or with one of the entities subject to a special tax system.
-

Article 28

Taxpayers who have carried out or closed their Business, in whole or in part, shall notify the GTA thereof using the form prepared by the GTA for this purpose, within thirty (30) days following the date of the commencement or closing of the same, as the case may be.

The taxpayer is exempted from the delivery of a notification if he files a tax return for income and capital gains during the aforementioned period.

Partial closing of Business means the termination by the taxpayer of any aspect of his Business or termination of the activity of one or more branches through which this Business is performed.

Total closing of Business involves the termination of all aspects of Business including fusion and partitioning.

In case the cause of the closing of Business is the death of the taxpayer, his heirs shall be obliged to deliver a notification within sixty (60) days from the date of death.

The liquidator shall notify the GTA of his appointment as a liquidator as well as the completion of the liquidation works, within thirty (30) days as of the date of his appointment or from the date of the end of the liquidation works, as the case may be.

Chapter II: Tax Returns

Article 29

- 1- The tax return stipulated in Article (11) of the Law shall be submitted by the resident and the non-resident taxpayer who carries out a Business through a permanent establishment in the State within (4) four months as of the date of the end of the tax year using the form prepared by the GTA for this purpose.
 - 2- Within thirty (30) days as of the date of concluding the contract or disposing of the assets, whichever is earlier. the capital gains tax return shall be submitted using the form prepared by the GTA for this purpose.
 - 3-The taxpayer whose accounting period differs from the taxable year shall submit his tax return for this accounting period within (4) four months as of the date of the end of the accounting period using the form prepared by the GTA for this purpose.
 - 4-The taxpayer who carries out a Business in more than one branch in the State shall submit a single tax return regarding the results of the work of all branches and the aspects related to his Business .
 - 5- In the event of liquidation, the liquidator shall file the tax return within the period specified in clauses (1) and(3) of this Article.
 - 6- should the taxpayer die during the tax year, the heirs, the estate trustee or the liquidator shall submit the tax return within (6) six months as of the date of death.
 - 7- If the taxpayer is a minor or incapacitated, the guardian, trustee or custodian, as the case may be, shall submit the tax return within four (4) months as of the date of the end of the tax year.
 - 8- In the event of closing, waiver or sale of the Business, in whole or in part, the obligation to file a tax return shall remain in force until the date of notifying the GTA of the closing or until the date of disposition whether by waiver of selling as the case may be. In this case, the tax return shall be filed on the same legal date as the notification.
 - 9-The tax return shall be signed by the taxpayer or his tax agent, including an undertaking item affirming the validity of the data contained therein.
 - 10- In all cases, the taxpayer shall submit all documents and data specified by the GTA for each form of tax returns prepared thereby.
-

Article 30

In case the taxpayer submits an application for extending the deadline for filing the tax return based on acceptable reasons, the GTA may extend the same for a period not exceeding (4) four months from the date of the last deadline for filing the tax return, providing that the said application to be delivered at least (60) sixty days before the date of the last deadline for filing the tax return. The GTA may consider applications received after this date, in the event the reasons for the delay have arisen after the expiry of the period specified for submitting the application.

Failure by the GTA to respond to the application within thirty (30) days from the date of its submission shall be considered an implicit rejection.

Article 31

1- Should the taxpayer submit an amended tax return pursuant to the provisions of Article (11/second paragraph) of the Law, the amended return shall replace the original tax return.

In such case, the period prescribed for the expiry of the GTA's right to assess the tax stipulated in Article (37/first paragraph) of the law shall be calculated from the date of submitting the amended tax return.

2-The taxpayer may not amend the original tax return by reducing the tax if a decision is issued regarding the tax assessment and the financial penalties related thereto. In all cases, the original tax return may not be amended after the lapse of (5) five years following the year in which the return was submitted.

Article 32

The taxpayer who carries out a tax-exempt activity, under any of the laws applicable in the State, shall submit a tax return accompanied by the financial position and the profit or loss list, besides other comprehensive income for the accounting period and the notes, statements and tables attached or complementary thereto, audited by a registered auditor in the State, in case one of the cases stipulated in Article (33) of these Regulations is available.

Article 33

The taxpayer shall attach to the tax return the final accounts audited by a registered auditor in the State if one of the following cases is available:

- 1- In case the capital exceeds (200,000) two hundred thousand riyals.
 - 2- In case the gross income exceeds (500,000) five hundred thousand riyals.
 - 3- In case the head office is outside the State.
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Article 34

1-The final accounts stipulated in the preceding Article shall mean the financial statements prepared in accordance with the accounting standards applicable in the State and signed by the taxpayer or his tax agent. They shall include in particular the following:

- a- Statement of financial position.
- b- Statement of profit or loss and other comprehensive income for the period.
- c-Statement of changes in equity for the period.
- d- Statement of cash flows for the period.
- e- Notes related to the financial statements, including significant accounting policies and other explanatory information.

2. The following shall be appended to the final accounts:

- a-Report of the Accounting Auditor.
- b- Statement of depreciation of fixed assets.
- c- Statement of the provisions that have been made and the provisions that have been deducted during the year, for banks and insurance companies.
- d- A statement of the amounts of withholding tax during the tax year in accordance with the provisions of the law and these regulations.
- e- A statement of subcontractors.
- f- A statement showing the method of determining the taxable income from the profit or loss contained in the income statement.
- g- A statement of transactions with related parties.
- h- A statement of the fixed assets that have been acquired, increased in value or disposed of during the tax year.

3-The auditor's report shall take into account the principles of the profession, especially the following:

- a- The ability to conduct the necessary audit, in accordance with generally accepted standards, to make a conclusion regarding the accounts of the taxpayer. Failure of such audit, if any, as well as any reason for the auditor to reserve any part of the taxpayer's accounts shall be stated in the report.
- b- The taxpayer's accounts have been prepared in accordance with the accounting standards applicable in the State, and that the system used takes into account the standards and controls of accuracy and security recognized in the case of accounting bookkeeping using computer systems.
- c- The taxpayer has complied with the disclosures stipulated in the standards, laws and regulations applicable in the State.

4- Whoever participates in the preparation of the relevant accounts may not audit the final accounts of the taxpayer and prepare the report of the auditor.

Chapter III: Accounting Obligations

Article 35

The taxpayer who carries out a Business in the State shall ensure the compliance of the books, accounting records, related and supported documents which are necessary for his Business in accordance with the laws and accounting standards applicable in the State, in particular the following:

- 1- General Journal.
 2. General ledger.
 - 3- Inventory book.
-

Article 36

1-The taxpayer who engages in a Business in the State shall keep in the place of practicing the Business the books, records and documents referred to in the preceding Article for a period of (10) ten years following the year to which such books, records and documents relate, unless a dispute related thereto arises before any entity, in which case he shall keep the same for as long as the dispute remains unsettled.

2-The GTA may, upon request, exempt the taxpayer from the obligation stipulated in Clause (1) of this Article, if the following conditions are met:

- (a) There are acceptable reasons that prevent the taxpayer from keeping the books, records and documents referred to, or make it difficult to keep the same. The taxpayer shall clarify these reasons in the application submitted by him.
- (b) The tax shall be irrevocably assessed to any entity for the year to which the books, records and documents relate.
- (c) The taxpayer has filed the tax return for the year to which the said books, records and documents relate.
- (d) No loss has been recorded during the year to which those books, records and documents relate and the five years preceding them.
- (e) The right of the GTA to assess the tax for the year to which such documents relate has lapsed by prescription in accordance with the provision of Article (37) of the Law.

3-The taxpayer may keep accounting books and records using a computer system, if the following conditions are met:

- (a) The system used provides an adequate degree of security to prevent the manipulation of input or output data.
- (b) The original copy of all documents supporting the restrictions recorded in the Law shall be retained.
- (c) All documents related to the design of the system, its characteristics and method of use shall be retained.
- (d) The auditor acknowledges in his report that the system takes into account the recognized standards of security and accuracy, especially with regard to the inability to amend the restrictions after confirmed and the inability to manipulate the dates of the extracted statements.
- (e) Statements of entries and accounts uploaded to the system shall be extracted every three (3) months from the system.
- (f) The design of the system shall allow the GTA to have access to all documents and records at any time and within the State.

4-The taxpayer may keep and maintain the accounting records, books and documents by contracting with a third party, provided that

they are kept and preserved in accordance with the provisions of this Regulation. The taxpayer shall remain responsible for them and their content before the GTA.

Part Four Powers and duties of the GTA

Chapter I Request and share information, data and records

Article 37

1- In accordance with the provisions of Article (13) of the Law, government entities, public institutions, companies, private associations and institutions, charitable associations and institutions, private institutions of public benefit and individual establishments shall notify the GTA of the following contracts:

(a) Contracts concluded with non-residents who do not have a permanent establishment in the State, regardless their value.

(b) Contracts concluded with residents or non-residents who have a permanent establishment in the State, if the value of the contract is at least (200,000) two hundred thousand riyals, for service contracts, and (500,000) five hundred thousand riyals at least, for contracting contracts, supply contracts and services.

2-The notification provided for in Clause (1) of this Article shall be submitted using a statement form prepared by the GTA for this purpose, including the data of the contractors, the nature of the contracted works, the duration and price of the contract, and the country of residence of the contractor with the entity. The GTA may, in all cases, request a copy of the contract if necessary.

3-The GTA may request the entities and authorities stipulated in Clause (1) of this Article to notify it whenever requests or periodically of any information, data or documents it deems necessary for the purpose of tax examination or exchange of information in accordance with regional and international agreements.

4-The entities referred to in Clause (1) of this Article, as well as trusts, endowments and the like, as well as investment funds whose headquarters or place of effective management are located in the State or which are operating in the State or are established under its laws, shall notify the GTA of the following information, data and records:

(a) information about the legal ownership and beneficial owner of the entity as well as persons on whose behalf the legal owners are acting;

(b) Accounting statements and records.

(c) Financial information and data.

5-The notices provided for in this Article shall be made within thirty (30) days as of the date of the GTA's request or from the date of the conclusion of the Contract or Agreement, as the case may be. The GTA may extend this period for another similar period if necessary.

6-The GTA may conclude Agreements with Ministries, government agencies, public entities and institutions to provide them automatically or periodically with the records, information and data it deems necessary.

Chapter II: Control and Inspection

Article 38

1- Employees of the GTA who are authorized to be judicial officers pursuant to the provisions of Article (32) of the Law shall be entitled to, without prior notification, enter the premises in which the taxpayer carries out his Business and its annexes, during working hours to perform the following:

- (a) Conducting a field inspection of the premises of Business during the working hours of the taxpayer.
- (b) Examining the records, accounts and data stipulated in the law and this regulation and taking copies thereof or seizing the same if necessary.
- (c) Examining the books, records and data of the taxpayer for the purpose of collecting information about another taxpayer.

2- Subject to the provisions of Clause (1) of this Article, in the event that the GTA has enough reasons for violating the provisions of the Law and these Regulations, the GTA's employees authorized to be judicial officers shall be entitled to enter the premises in which the taxpayer carries out his Business and its annexes after working hours.

3. The taxpayer subject to the control and inspection procedures shall be entitled to perform the following:

- (a) Requesting the GTA's employees to present the official card.
 - (b) Observing the control and inspection process.
 - (c) Obtaining a copy of the books, records and documents that have been seized.
-

Chapter III: Tax Inspection Procedures

Article 39

1- Subject to the statute of limitations stipulated in the law, the GTA shall be entitled to examine the taxpayer's tax returns, the documents attached thereto and any records, books or other data it deems necessary to ensure compliance with the provisions of the law and this Regulation. For this purpose, the GTA may perform any of the following:

- (a) Asking the taxpayer or his tax agent to attend to discuss matter with him and provide any clarifications and information related to his Business, tax returns and financial accounts within the period specified by the GTA. The relevant notes and clarifications shall be maintained in a record prepared by the GTA for this purpose.

(b) Requesting the taxpayer or his tax agent to provide any information, documents, books, records or data required by the inspection work within (20) twenty days from the date of notification thereof.

(c) Moving to the place of carrying out the Business during the working hours of the taxpayer to conduct field inspections of his Business as well as to inspect the books and records kept by the taxpayer.

(d) Maintain copies of any books, records, or paper or e-documents and seize their assets if the GTA deems it necessary.

(e) Inspecting the books, records and data of the taxpayer for the purpose of collecting information related to the tax owed by another taxpayer.

(f) Accessing and inspecting the programs, systems and sub-informatics applications used to register the taxpayer's accounts and prepare his tax returns.

(g) Accessing and inspecting the data necessary for the use of these programs, information systems and applications, the restrictions and treatments resulting therefrom, as well as the databases used to dispose of transactions, issue invoices, revenues, receipts, assets or inventory.

2-The GTA may, upon carrying out the inspection process, notify the taxpayer thereof on the form prepared for this purpose. The notification shall be made no less than fifteen (15) days prior to the date of commencement of the tax inspection process. The prior notification shall include the date of commencement of the inspection process, and the tax period or periods under inspection.

3-The inspection process shall be carried out at the headquarters of the GTA or the office of the taxpayer as decided by the GTA.

4-The taxpayer subject to the inspection shall be entitled to the following:

(a) Requesting the presentation of the official card from the tax examiner.

(b) Obtaining copies of any original documents or records that are seized or obtained by the GTA.

5-The taxpayer who is subject to the tax inspection process shall provide all the necessary facilities and assistance to the tax examiner to enable him to perform his duties to the fullest.

6-The GTA may, when carrying out the tax inspection, seek the assistance of specialists and technical experts from government agencies or from the private sector who are not competitors of the taxpayer, if necessary.

7- Before issuing the assessment decision, the GTA may notify the taxpayer of the results of the tax inspection process, and the taxpayer shall make his observations thereon within a period not exceeding (30) thirty days from the date of notification. The taxpayer may also request to view or obtain copies of the documents and data on which the GTA relied in amending and estimating the tax due.

8-The GTA may request the foreign tax authorities to conduct simultaneous checks and audits and may, upon request from a foreign tax authority, conduct simultaneous checks and audits in accordance with the controls and procedures determined by a decision of the Chairman.

Chapter IV: Tax Assessment

Article 40

The GTA shall assess the tax in accordance with the following:

1-The tax return shall be considered as a tax assessment.

2-In case GTA makes an amendment to the tax return submitted by the taxpayer, it shall make amendments to the form prepared for this purpose.

3- A tax assessment decision shall be issued using the form prepared for this purpose in all cases where it is not possible to assess the tax on the basis of the taxpayer's real income, including failure to file a tax return or failure to submit the supporting data or documents, within the periods specified in these regulations. These data and documents shall include, in particular, the following:

(a) The books or records stipulated in the law and these regulations, provided that they are correct and regular in accordance with the laws and accounting standards applicable in the State.

(b) Information, clarifications and other documents required by the GTA from the taxpayer for the purposes of tax examination in accordance with these Regulations.

4-The tax shall be assessed on a discretionary basis based on the objective evidence and evidence available to the GTA, in particular the following:

(a) The data available in the taxpayer's accounts, even if it is not considered.

(b) The nature and characteristics of the taxpayer's Business.

(c) Data relating to cases alike.

(d) Reports and statements issued by independent entities related to the taxpayer's Business.

5- In the event that the taxpayer does not submit his tax return within the periods specified in these Regulations and before issuing the assessment decision, the GTA may issue a warning to him that his tax return shall be submitted within a period not exceeding (30) thirty days from the date of notification thereof.

6-The GTA may amend the assessment decision by reducing or increasing the amounts due, in order to remedy material errors related to the calculation of the tax and notify the taxpayer thereof.

Article 41

1. The assessment decision regarding making adjustments or assessment shall include, in particular, the following data:

(a) The facts, information and evidence on the basis of which the tax was assessed, including the identification of the provisions of the law and the regulation on which the assessment process based.

(b) Income subject to tax, the tax due, and the financial penalties related thereto.

(c) The period during which the tax shall be paid, the financial penalties related thereto, and the place of its payment.

(d) The right of the taxpayer to object and appeal against the assessment decision, in accordance with the provisions of the law and

these regulations.

2-The GTA shall notify the taxpayer of the tax assessment decision using the form prepared for this purpose, in accordance with the provisions of Articles (67) and(68) of these Regulations.

3-The GTA may correct typos or arithmetical errors that occur in the decisions and notices issued by it.

PART Five

Chapter I Objection

Article 42

1-The taxpayer may object to the assessment decision, by submitting a registered letter or by any means of information, within thirty (30) days as of the date of notification thereof. The objection shall be submitted to the GTA, and its submission shall result in the suspension of the implementation of the assessment decision.

2-The objection to the tax assessment decision shall include, in particular, the following data:

(a) The name of the taxpayer and his tax ID No.

(b) The tax assessment decision subject matter.

(c) The linking elements objected to and all the reasons supporting the objection, provided that any supporting documents are attached thereto.

(d) Accepted assessment elements, if any.

3-The GTA shall consider the objection, and to this end, it may request any additional information or documents. The taxpayer shall respond to that request within a period not exceeding thirty days, and this period shall not be included within the period prescribed for the GTA to respond to the objection.

4-The GTA shall notify the tax agent or person responsible of its decision regarding the objection, by any means of information, within sixty (60) days from the date of submitting the objection. Failure by the GTA to respond to the objection during this period shall be considered an implicit rejection thereof.

5- In case the taxpayer acknowledges in writing the acceptance of the GTA's decision regarding the objection, or does not appeal against this decision before the Tax Grievance Committee in accordance with the provisions of Article (43) of these Regulations, the GTA's decision regarding the objection or the assessment decision, as the case may be, shall become final, and the tax and the financial penalties related thereto shall be due and payable.

Chapter Two: Grievances

Article 43

1- Within (30) thirty days from the date of notification of the decision or from the date of expiry of the period specified for deciding on the objection without responding thereto, the taxpayer may file a grievance against the GTA's decision issued in the objection,

before the Tax Grievance Committee provided for in Article (19) of the Law.

2- Subject to the provisions of Clause (1) of this Article, the taxpayer may file a grievance before the Tax Grievance Committee against the decisions of the GTA in accordance with the Law and these Regulations within thirty (30) days from the date of notification of the GTA's decision or from the expiry of the periods specified for the determination of his applications.

Part Six: Tax Collection and Refund

Chapter I: Tax Collection

Article 44

1-The taxpayer shall pay the tax due as per the tax return, and on the day of its submission.

2-The tax due on the basis of the tax assessment decision and the financial penalties related thereto shall be payable. If the GTA issues an assessment decision on the amendment or assessment and the objection period stipulated in Article (17) of the Law expires without submitting an objection, the taxpayer shall be obliged to pay the tax and the financial penalties related thereto within thirty (30) days from the date of expiry of the aforementioned objection period.

3- If the GTA issues an assessment decision on the amendment or assessment, and the taxpayer objects within the period stipulated in Article (17) of the Law and the objection is adjudicated, the tax due shall be paid as a result of the GTA's decision regarding the objection and the financial penalties related thereto, within (30) thirty days from the date of notifying the taxpayer of the GTA's objection decision.

4- In case the taxpayer objects to the assessment decision on the amendment or assessment, and the GTA does not respond to the objection within (60) sixty days, stipulated in Article (18) of the Law, the tax due shall be paid as a result of the tax assessment decision and the financial penalties related thereto, within (30) thirty days from the date of expiry of the aforementioned (60) sixty days.

Article 45

1- The tax due and the financial penalties related thereto shall be paid in one installment, and may be paid in installments under the approval of the GTA, at the request of the taxpayer, if the following conditions are met:

(a) The taxpayer shall prove that his financial situation is unstable as it hinders him from paying the tax and financial penalties in one installment.

(b) The taxpayer shall not previously obtained an installment approval and failed to pay the installments on time.

(c) The amount to be paid in installments shall not include tax due and financial penalties related thereto and fines arising from committing any of the crimes stipulated in Article (26) of the Law by the taxpayer, or tax withheld or financial penalties related thereto.

2- Failure of the GTA to respond to the installment application within (60) sixty days shall be considered an implicit rejection thereof. In case of approval, the financial penalty calculation stipulated in Article (24/Clause 2) of the Law shall be suspended for the amounts covered by the application.

3- In all cases, if the taxpayer fails to pay any installment on the specified date, all remaining installments shall be due immediately, and the financial penalty stipulated in Article (24/Clause 2) of the Law shall be recalculated based on the unpaid amounts, as of the date of approval of the installment request.

Article 46

1- In cases where the tax assessment decision and the financial penalties related thereto becomes final and in case the due amount has not been paid on the specified date, the Chairman shall take executive seizure procedures on the taxpayer's funds necessary for the collection of the tax, whether these funds are in the possession of the taxpayer or others, including the following:

- (a) Elapsing the time scheduled for the objection in accordance with Article (17) of the Law, without the taxpayer objecting to the assessment decision.
- (b) The taxpayer's approval in writing of the assessment decision or the decision of the GTA regarding in the objection.
- (c) Issuance of a final decision by the Tax Grievance Committee.
- (d) Issuance of a final judicial ruling on the assessment decision or financial penalties related thereto.

2- Subject to the provisions of the laws regulating executive seizure, the GTA shall notify the person in charge by one of the means stipulated in Article (67/Clause 1) of these Regulations of its intention to sign an executive seizure of his funds, and shall require him to pay the outstanding amounts within thirty (30) days, otherwise the seizure shall be imposed on him as per the amounts due.

3- In case the taxpayer fails to pay the outstanding amounts within the period stipulated in Clause (2) of this Article, the GTA shall seize the taxpayer's funds in accordance with the procedures followed and the outstanding amounts shall be collected pursuant to the following order:

- (a) Seizure and sale expenses.
 - (b) Taxation.
 - (c) Financial penalties.
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Chapter II: Tax Refund

Article 47

1- In accordance with the provisions of Article (23) of the Law, the taxpayer shall be entitled to refund the amounts of the tax and the financial penalties related thereto and unjustly collected from him by submitting an application to the GTA accompanied by all supporting documents proving his right to refund the same.

With regard to refund applications related to tax withholding, the refund applicant shall attach to his application all documents and

supporting documents proving his right to refund, in particular the following:

- (a) A tax residence certificate in the country of residence for the year from which the amounts are required to be recovered.
- (b) Evidence of the appointment of a tax agent or his representative to carry out the refund procedures in the event that the request for refund is submitted by a party who has no interests in refund.
- (c) Certificates of tax withholding by the party that has carried out the withholding.
- (d) The contract or agreement concluded with the party that has carried out the withholding.
- (e) A list of the shareholders in the capital of the requesting company and the real beneficiaries of the amounts paid from the party that has carried out the withholding.
- (f) A bank certificate of the account and the bank ID of the applicant for refund.
- (g) The provisions of the agreement under which the tax withholding has been made unduly.

The GTA shall consider the refund application and notify the person in charge of its decision regarding the application, by one of the means stipulated in Article (67/item 1) of these Regulations, within (60) sixty days from the date of submitting the application.

Failure of the GTA to respond to the application within the aforementioned period shall be considered an implicit rejection thereof.

The taxpayer shall be entitled to file a grievance against the GTA's decision regarding the refund application before the Tax Grievance Committee, in accordance with the provisions of Article (43) of these Regulations.

2- Within the framework of the study and verification of refund application, the GTA shall be entitled to request any additional data or clarifications it deems necessary to decide on such applications. The taxpayer shall submit the same within a maximum period of (30) thirty days from the date of notification of the GTA's request. This period shall not be included within the period of the GTA's response to the refund application stipulated in clause (1) of this Article. Failure by the taxpayer to submit the additional data or clarifications requested by the GTA shall result in the rejection of the said application.

3-The taxpayer shall be entitled to compensation by (0.1%) of the amount of the tax and the financial penalties related thereto collected unduly, for each month of delay or part thereof after the lapse of a period of (60) sixty days from the date of submitting the refund application to the GTA, provided that all supporting documents are submitted to him proving his eligibility for refund. The calculation of this compensation shall be suspended in the event of a final judicial ruling to that effect.

4-The calculation of the delay period in the case of refund applications based on an international convention shall start only from the date of rejection of the request by the GTA or the expiry of the period prescribed for its decision without a response.

5-The GTA shall make a set-off between the additional amount paid by the taxpayer or the financial penalties related thereto, and the legally outstanding amount.

Part Seven: Financial Penalties

1-The Chairman or his authorized representative shall impose on the taxpayer the financial penalties stipulated in Article (24) of the Law as follows:

(a) In the case of issuing an assessment decision on the amendment or assessment, financial penalties shall be included in the assessment decision.

(b) In the case referred to in the preceding clause, the financial penalties shall be imposed by an independent decision and the assignee shall be notified thereof.

2- If the period for submitting the return has been extended in accordance with the provisions of these Regulations, the period for calculating the delay stipulated in Article (24/Clauses 1 and 2) of the Law shall start from the day following the expiry of the deadline for submitting or extending the tax return.

3- For the purposes of calculating the financial penalty stipulated in Article (24/Clause 2) of the Law, the part of the month shall be considered a full month.

4-The financial penalty shall be imposed on the delay in submitting the tax return stipulated in Article (24/Clause 1) of the Law, in addition to the penalty stipulated in Clause (4) of the same article in the event that the taxpayer is a beneficiary of a tax exemption.

5- For the purposes of applying the provisions of Article (24/Clause 6) of the Law, the financial penalty shall be imposed for each contract, agreement or transaction that the entity has not notified the GTA separately.

6- Subject to the provisions of Article (24/Clause 6) of the Law, the financial penalties stipulated in Article (24/Clause 3) of the Law shall apply to all notices stipulated in these Regulations.

Article 49

1- For the purposes of applying the provisions of Article (25) of the Law, the exemption limit prescribed for the Chairman shall apply for each tax year separately.

2- Exemption from financial penalties shall be based on an application submitted by the taxpayer or his tax agent, based on justifications accepted by the GTA. Failure of the GTA to respond to the application within (60) sixty days from the date of its submission shall be considered an implicit rejection.

3-The exemption decision issued in accordance with the provisions of Article (25) of the Law shall apply to the financial penalties imposed in accordance with the provisions of Article (24) of the Law for the period preceding the issuance of the exemption decision.

Part Eight: Tax avoidance

Chapter I: Prevention of Tax Avoidance

Article 50

1- in accordance with the provisions of Article (33/first paragraph) of the Law, avoiding the payment of the tax due means that the taxpayer enters into agreements, processes or transactions whose main objectives are to reduce the amount of taxable income or to create a loss or increase in the loss, or that the taxpayer uses double taxation avoidance agreements for this purpose, including in cases where the amount of tax due becomes worthless.

2- In the application of the provisions of Article (33/first paragraph) of the Law, the tax advantage means, in particular, the following:

(a) Reducing the amount of tax due by reducing gross income or increasing deductions or losses.

(b) Obtaining an exemption from tax.

(c) Refund of tax amounts or financial penalties paid.

3. The agreements, processes and transactions provided for in Article 33, paragraph 1, of the Law shall include, in particular:

(a) Agreements, processes and transactions regulated and executed through an arrangement or a set of interrelated arrangements designed to avoid tax, and this provision does not apply to agreements, processes and transactions carried out in good faith for commercial purposes, tax avoidance is not one of their primary objectives.

(b) Agreements, processes and transactions that involve the taxpayer splitting his income and transferring the same in whole or in part to a person or other persons associated with him for the purpose of avoiding the payment of tax in whole or in part.

4. The provision of the aforementioned agreements, processes and transactions applies to the case of avoidance of permanent establishment status through arrangements by agents and similar strategies, including in particular the following:

(a) In case a person routinely assumes the principal role in concluding contracts in the State on behalf of another person who non-resident, without substantial modification of those contracts by that person, providing that one of the following arrangements is in place:

- The contracts shall be in the name of the non-resident.
- Such contracts shall include the transfer of ownership or the granting of the right to use assets owned by the non-resident.
- Such contracts shall include the provision of services by a non-resident to a non-resident service recipient.

(b) In case a person carries out activities in the State exclusively or almost exclusively on behalf of one or more non-resident entities associated with, in the ordinary course of his activity as an agent with independent status.

In both cases, a non-resident is considered to be the owner of a permanent establishment in the State in respect of any Business carried out in the State on his behalf.

5-The tax benefit shall be withdrawn by the GTA in the cases stipulated in Article (33) of the Law by virtue of a tax assessment decision and in accordance with the provisions of Article (14) of the Law. In order to determine the tax due in this case, the taxable income shall be added to the value of the benefit obtained by the taxpayer from the tax advantage that has been withdrawn.

Article 51

In the application of the provisions of Article (33/ second paragraph, Clause1) of the law, full competition shall be applied in accordance with the comparison free price method, which is the price of the goods or service that would have been applied if the transaction had been carried out between unrelated parties. In the absence of the necessary data to apply the comparison free price method, the taxpayer shall submit an application to the authority to apply any of the other pricing method approved by the Organization for Economic Cooperation and Development. In the absence of comparison elements specific to the situation under inspection, the GTA may be guided by comparisons with similar activities or other sources of income or any objective evidence available to the GTA.

Article 52

Any entity associated with other entities shall give appropriate consideration to transfer pricing requirements in determining prices and other terms for transactions between them, and in reporting income resulting from such transactions on its tax returns.

Associated entities are any entity that is considered to be such in accordance with International Accounting Standards.

Transfer rates are the prices at which an entity transfers tangible or intangible assets or provides services to associated entities.

Article 53

For the purposes of calculating tax, each entity shall identify the transaction prices between itself and its associated entities pursuant to the principle of full comparison pricing, based on information reasonably available thereto and shall make an assessment of those prices at the time of the transaction, within a period not later than the time of filing the tax return for the accounting period in which the transaction took place.

Full comparison pricing refers to pricing between two independent entities.

Article 54

Each entity associated with other entities shall perform the functional analysis reported on its tax returns, and consider the comparable data available thereto.

Functional analysis is the entity's description of its position and economic role with associated entities, and the identification of functions performed, potential risks, as well as tangible and intangible assets used.

Article 55

For the purpose of applying the principle of pricing on the basis of full comparison , each entity associated with other entities shall annually update the financial statements of the comparable transactions between that entity and an entity independent thereof or between two separate entities.

The entity associated with other entities may update the searches in the financial databases of the comparable transactions every three (3) years, as long as the conditions of the activity remain the same.

Article 56

An entity associated with other entities shall provide the GTA with the necessary information to identify and assess its transfer pricing risks, and to audit its transfer pricing practices.

In case the total revenues or total assets of the entity that appear in its budget reach or exceed the amount specified by the GTA , the entity associated with other entities shall submit with the annual tax return a statement of transfer pricing using the form prepared by the GTA for this purpose.

The GTA may request the entity associated with other entities to provide information that would help in identifying and assessing the transfer pricing risks related thereto or in conducting an audit of its transfer pricing practices within (30) thirty days at most from the date of the request. The GTA may submit a questionnaire on transfer pricing in the areas specified by it using the form prepared by the GTA for this purpose.

During the tax inspection process, the GTA may request the associated entity to complete the information provided in the transfer pricing form or in the questionnaire with additional information and documents.

Article 57

At the same time specified for filing the tax return or at any other date specified by the GTA, and unless the GTA adopts its own forms, the resident entity associated with other entities shall submit a main file and a local file on the applicable form of the Organization for Economic Cooperation and Development, provided that each of the following conditions is met:

- 1- The total revenues or total assets of the said entity, which are included in the financial statements, shall reach or exceed the amount determined by the GTA.
- 2- One of the associated entities shall reside outside the State.

Such obligation shall be effective as of the tax year commencing on or after the date determined by the GTA by a decision of the Chairman for this purpose.

Article 58

The GTA may rely on the information available in the main file and the local file in assessing the risks of transfer pricing and in tax inspections.

Article 59

The entity shall submit a proof to the GTA that its transactions with the associated entities meet the principle of pricing on the basis of full comparison, coupled with sufficient documents proving the same.

Article 60

The GTA may request from the entity all information and documents in its possession necessary to conduct an audit of its transfer pricing practices in relation to its transactions with associated entities, including:

1. Information and documentation relating to the operations and functions of the entity.
 - 2- Information and documents related to the operations, functions and financial results of the entities associated therewith and upon which the transactions were concluded.
 - 3- Information on potential comparisons, including internal comparisons of associated entities.
 - 4- Documents relating to the operations and financial results of potentially unrelated entities and transactions between them.
 - 5- Information and other documents held by the entity or entities associated therewith.
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Article 61

In the application of the provisions of this Part, an entity's claim that other entities associated with it are responsible for complying with the transfer pricing provisions is not a sufficient reason for that entity's failure to provide the required documentation.

Full documentation of transactions between associated entities does not preclude correction of their prices if it is established that they were not made on the basis of full comparison.

Article 62

The entity retains information and documentation relating to transfer pricing in relation to its transactions with associated entities in compliance with the requirements of the Law.

Article 63

When calculating the tax due on the entity, profits that have been transferred indirectly to another associated entity shall be added to the taxable income, whether by increasing or decreasing the transaction prices agreed upon between them, or in any other way. Such process shall be conducted by determining the profits that have been transferred indirectly compared with the profits that would have been achieved in the absence of any correlation between the two entities or any other comparisons.

The provisions of the preceding paragraph shall also apply to transactions between:

1- Any entity resident in the State and another entity not associated therewith in the following cases:

(a) If one of the entities is a beneficiary of a preferential tax system.

(b) If the other entity is a resident of one of the non-cooperating countries or territories. The country or territory is considered non-cooperative if it does not conclude an agreement with the State of Qatar that allows for the exchange of information for tax purposes.

A decision shall be issued by the minister to identify the non-cooperative countries and territories.

2-The entity and one of its permanent establishments if one of them is engaged in an activity in the State.

Article 64

The Minister shall issue a decision on the terms and procedures of the prior bilateral agreement on transfer pricing and any controls necessary for the application of the provisions of this Part.

Part Nine General Provisions

Article 65

Without prejudice to the taxpayer's legal responsibility, the taxpayer may appoint a tax agent registered with the GTA in order to represent him and act on his behalf with regard to his tax affairs. If the taxpayer or his representative before the GTA does not have an appropriate accounting qualification, the taxpayer shall appoint a tax agent. In all cases, the taxpayer's financial statements may not be audited by a representative or tax agent before the GTA.

The Minister shall issue a decision on the procedures and conditions for the appointment of the tax agent, his obligations and the cases excluded from the appointment of the tax agent.

Article 66

notices and correspondence between the GTA and the tax agent of the taxpayer, appointed in accordance with the provisions of these Regulations, shall have the same legal force as notices and correspondence with the taxpayer himself.

Article 67

1- Correspondence and notices addressed by the GTA to taxpayers or other addressees of the provisions of the Law and these Regulations shall be conducted by one of the following means:

- (a) Delivery by hand with the signature of receipt.
- (b) Registered mail.
- (c) Electronic means capable of proving the knowledge of receipt, such as e-mail.
- (d) Electronic systems, software and information applications approved by the GTA.

2- Correspondence and notices sent by the taxpayer or any person addressed by law to the GTA shall be conducted by one of the following means:

- (a) Registered mail at the postal address of the GTA.
 - (b) Delivery by hand to the GTA, in accordance with the procedures approved by it.
 - (c) Electronic systems, software and information applications approved by the GTA.
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Article 68

For the purposes of the application of the provisions of the preceding Article, the following contact addresses of the person to be notified shall prevail:

- (a) The last postal address of the taxpayer registered with the GTA, or that the person to be notified has specified, or that the taxpayer usually uses in his correspondence, or the last known place of residence or business.
- (b) The last e-mail address of the taxpayer registered with the GTA, or specified by the person to be notified.

2- In the case of sending notices via e-mail to the juristic person, this shall be in the following order:

- (a) The e-mail address that has been provided in advance.
 - (b) The e-mail address of the legal representative of the juristic person to be notified.
 - (c) The last known e-mail address of a person acting in the interest of the person to be notified.
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Article 69

The GTA shall develop the electronic systems, software and information applications necessary for the transition towards the digital application of the provisions and procedures stipulated by the law and these regulations. It shall also apply the rules and procedures contained in these systems in a manner that does not conflict with the law or these regulations.

The persons addressed by the provisions of the law and these regulations shall abide by addressing the GTA and fulfilling all their tax obligations, through these electronic systems, software and information applications as of the date of announcing the commencement of their work on the GTA's website and in at least two widespread local daily newspapers.

All taxpayers registered at the time of implementation of these E-Systems and information programs and applications shall regularize their status and re-register with the GTA in accordance with the provisions of these regulations within ninety (90) days from the date of entry into force of these systems. The Chairman may extend this period for a similar period or periods.

Article 70

In the event of a merger of companies in accordance with the Commercial Companies Law, the Acquirer shall take the place of the Acquiree in all their tax obligations arising before the end of the merger.

Within the limits of the company subject to the division, the companies arising from the division succeeding the company shall take the place the division in all the tax obligations of the company with the division arising before the completion of the division process.

Article 71

Ministries and other government agencies and public entities and institutions shall provide the GTA with the information or data it requests necessary for the performance of its work, and cooperate therewith in the field of its competences.