
QATAR FINANCIAL CENTRE CIVIL AND
COMMERCIAL COURT
PRACTICE GUIDE NO. 1 OF 2009

1. By amendments to Law No. 7 of 2005 (“the QFC Law”), effected by Law No. 2 of 2009, this Court was established as a Court financially and administratively independent of the State of Qatar with a first instance and appellate jurisdiction as set out in the QFC Law as amended.
2. This Practice Guide is issued by the Court pursuant to its inherent jurisdiction, in order to enable the Court properly to discharge its responsibilities, and for the assistance of potential users of the Court.
3. By Article 9 of the QFC Law as amended, the Court is empowered to prepare Regulations. In addition, by paragraph 15 of Schedule 6 to the QFC Law as amended, the Court, is required to put into force an operational rule book and procedures for the Court in accordance with the QFC Law, fundamental litigation principles and best international practice, to be approved by the Council of Ministers.

4. The operational rule book and procedures for the Court are in the course of preparation, for the assistance of users of the Court and in order to comply with the Court's obligations pursuant to the QFC Law as amended.
5. Until the approval of the operational rule book and procedures by the Council of Ministers in accordance with paragraph 15 of Schedule 6 to the QFC Law as amended, this Guide is issued to assist litigants as to the manner in which they are required to conduct proceedings before the Court.

Advance Notification of Proceedings

6. Any party who wishes to seek the assistance of the Court to resolve a dispute should give as much notification of this to the Registrar of the Court as is practical. The notification should be in writing (unless the application is so urgent that this is not possible), and should summarise the nature of all the matters that the party wishes the Court to resolve.
7. Such notification should, when this is practical, be sent to any other party or parties involved in the dispute no later than the date on which the Registrar is notified.

How to Contact the Registrar

8. The Registrar may be contacted at 14th Floor, Qatar Financial Centre, West Bay, PO Box 22989, Doha,

Qatar; telephone + 974 495 6790; fax +974 483 5031; e-mail d.apps@qfctribunal.com. Any party who wishes to commence proceedings before the Court or otherwise to make contact with the Court should telephone or fax before doing so.

Commencing Proceedings before the Court

9. Proceedings are commenced before the Court by making an application to the Court in writing.
10. The application should identify:
 - 10.1 the parties to the dispute;
 - 10.2 the respondent or respondents to the particular application (including, where possible, a postal address, telephone/fax numbers and e-mail address(es) for such respondent(s));
 - 10.3 the nature of the dispute, setting out, as briefly as possible, any facts relied on, and attaching any documents that are of particular importance;
 - 10.4 the basis on which it is submitted that the Court has jurisdiction;
 - 10.5 the legal basis for the claim (identifying, in particular, any provision of any QFC legislation relied on);

- 10.6 the relief which the applicant wishes the Court to grant;
- 10.7 the applicant's contact details (post, telephone, fax and, where possible, e-mail) for the purposes of service.
11. The application should contain a certificate signed by the applicant (or, in the case of a body corporate or limited partnership, its representative) stating that the signatory believes that the applicant is entitled to the relief sought and that the facts set out in the application are true.
12. Once the application has been received by the Registrar, the Registrar will notify the applicant that the application has been issued and of the date of issue. The application should be served by the applicant on any respondent within 14 days of the date of issue, accompanied by a copy of this Guide, unless the Registrar or any Member of the Court directs otherwise.

Responding to an application

13. Any person who is served with an application should respond to that application in writing within 28 days of its service upon him or within such other period as the Registrar or any Member of the Court may direct. Service should be on the Registrar and all parties to the application.

14. Such response should:

14.1 set out any facts relied on by the respondent to the application, and attach any documents that are of particular importance;

14.2 contain a certificate signed by the respondent (or, in the case of a body corporate or limited partnership, its representative) stating that the signatory believes that the facts set out in the response are true.

Directions

15. Every application to the Court will be subject to directions from the Court that are designed to achieve an early and just determination of the dispute in question and of the application by an effective and efficient procedure that is proportionate to the nature of the dispute and the sums of money involved.

16. Until such time as the Court's operational rule book is approved by the Council of Ministers and published, directions will be given on a case by case basis and in accordance with best international practice (as typified by the procedures set out in the London Admiralty & Commercial Court Guide, 7th edition, 2006, a copy of which can be found online or can be supplied by the Registrar on request).

17. The parties to any application will be invited to make submissions as to the directions to be made.
18. In most cases, the Registrar will determine an early date for a directions hearing. Directions hearings may take place by telephone or video link if the Court considers it appropriate.
19. Where necessary or appropriate, directions of a procedural nature may be given by a single Judge or by the Registrar. If in the opinion of the Court justice so requires, directions can be dispensed with.
20. If a party fails to comply with the Court's directions, the Court can grant such relief as is appropriate, including the dismissal of the application or the giving of judgment in default.
21. In any case, if the Court is satisfied that justice so requires, summary judgment will be given.

Rights of audience

22. The President of the Court or the Judge presiding over the case in question shall have a discretion to 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 of Qatar or of any other jurisdiction shall have rights of audience. Where directions are given by a single Judge or by the Registrar in accordance with

paragraph 19 above, there are no restrictions on rights of audience unless that Judge or the Registrar otherwise determine.

Future Practice Guide

23. This Practice Guide will be revised from time to time.

THE Rt. Hon the LORD WOOLF
PRESIDENT OF THE QFC CIVIL AND COMMERCIAL
COURT

25 April 2009