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Qatar

Merger Control

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This country-specific Q&A provides an overview of merger control laws and regulations applicable in Qatar.

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Qatar: Merger Control

1. Overview

Qatar's merger control regime is governed by Law No. 19 of 2006 on the Protection of Competition and the Prevention of Monopoly Practices (the "Competition Law"), along with its implementing Executive Regulations, issued by Ministerial Resolution No. 61 of 2008 (the "Executive Regulations"). The law is enforced by the Competition Protection and Anti-Monopoly Practices Committee (the "Committee") under the Ministry of Commerce and Industry ("MOCI").

The regime prohibits the completion of transactions that may result in dominance or restrict competition in the Qatari market without prior clearance. Filing is mandatory for transactions that meet the notification requirement under Article 10 of the Competition Law, which includes acquisitions of assets, shares, or control that may lead to a dominant market position.

Key features include:

- **Mandatory filing** for transactions potentially leading to market dominance.
- **Suspensory effect**, i.e., closing before clearance is not permitted.
- **No numerical thresholds** for jurisdiction; instead, the Committee assesses whether the transaction could influence the Qatari market.
- **Applies extraterritorially** to foreign-to-foreign mergers that affect the Qatari market.
- **Possible exemptions** if the transaction promotes economic development or consumer welfare.
- **Lack of published decisions or guidance**, which makes the regime relatively opaque and subject to administrative discretion.

The law does not impose special thresholds or timelines for specific sectors, but sector-specific regulators (e.g., QCB, QFMA) may impose separate filing requirements depending on the nature of the transaction.

2. Is notification compulsory or voluntary?

Notification is compulsory for all transactions in Qatar. Transactions involving acquisitions of assets, ownership rights, usufructs, shares, or management combinations that may lead to "domination" must be notified to the Committee. There are no safe harbours or thresholds below which notification is clearly not required.

3. Is there a prohibition on completion or closing prior to clearance by the relevant authority? Are there possibilities for derogation or carve out?

Yes, there is a **strict prohibition on implementation** of the transaction prior to clearance. Transactions subject to notification cannot be completed until clearance is issued by the Committee or 90 days have lapsed without a decision, in which case the transaction is deemed approved by default.

There is no formal derogation process or carve-out mechanism recognised under the law. However, the Minister may issue an exemption if the transaction is in the public interest or benefits consumers.

4. What types of transaction are notifiable or reviewable and what is the test for control?

The law captures a broad range of transactions, including acquisitions of assets, ownership rights or usufructs, shares, management combinations or mergers.

There is **no strict shareholding threshold.** Instead, the test is whether the transaction leads to "domination," which is defined as the ability to control prices or the supply of products in the market without competitors being able to constrain such influence.

Intra-group restructurings may technically be caught if they result in a new dominant position, though this has not been clarified in practice.

5. In which circumstances is an acquisition of a minority interest notifiable or reviewable?

Acquisitions of **minority interests** are not explicitly addressed under the law. However, if such acquisition results in effective control or dominance, it may be reviewable.

There is no safe percentage threshold below which control is presumed not to arise. Instead, the Committee may consider factors such as voting rights or veto powers over strategic decisions, the practical ability to

influence pricing or output; and whether other shareholders are passive or coordinated. In practice, acquisitions of minority stakes without control features are unlikely to trigger notification but are not expressly exempt.

6. What are the jurisdictional thresholds (turnover, assets, market share and/or local presence)? Are there different thresholds that apply to particular sectors?

There are **no formal turnover, asset, or market share thresholds** set out in the law. Instead, jurisdiction is triggered if the transaction **may influence the Qatari market**.

The Committee uses a qualitative analysis based on several factors, such as the effect on market competition; impact on consumers and product quality; and compatibility with established commercial practices.

This approach applies across **all sectors,** with no sector-specific thresholds provided under the merger control rules. However, parallel filings may be required with sector regulators (e.g., in banking, telecoms).

7. How are turnover, assets and/or market shares valued or determined for the purposes of jurisdictional thresholds?

Since Qatar's merger control regime does not provide numerical thresholds, there are **no statutory valuation rules** for turnover, assets, or market share. Instead, the Committee assesses the potential impact of the transaction on the Qatari market on a **qualitative basis**. Factors include effect on free competition; consumer benefits; maintenance of product quality, safety, and security; and consistency with established commercial practices.

Market share is considered as part of the dominance assessment, but no percentage thresholds are set. Geographic allocation is based on the location of the customer and the market where competitive effects will be felt.

8. Is there a particular exchange rate required to be used for to convert turnover thresholds and asset values?

Not applicable — there are **no monetary thresholds** in the Competition Law. Consequently, no statutory exchange rate or conversion method is prescribed.

9. In which circumstances are joint ventures notifiable or reviewable (both new joint ventures and acquisitions of joint control over an existing business)?

Joint ventures fall within the scope of the Competition Law if their formation results in a dominant position in the Qatari market or otherwise restricts competition. This includes creation of new joint ventures; acquisition of joint control over existing entities; and combining the management of two or more corporate persons.

There are no separate thresholds for joint ventures, and notification may be required even if the JV has no immediate local operations, provided its parent companies' activities affect the Qatari market.

10. Are there any circumstances in which different stages of the same, overall transaction are separately notifiable or reviewable?

The law does not expressly address staged or multi-step transactions. However, where multiple steps each result in a new instance of dominance or control, the Committee could require notification for each stage. There is no published practice on whether linked stages are reviewed together or separately.

11. How do the thresholds apply to “foreign-to-foreign” mergers and transactions involving a target / joint venture with no nexus to the jurisdiction?

Foreign-to-foreign transactions are reviewable if they **affect competition in Qatar**, regardless of whether the target has a physical presence or direct sales in the jurisdiction. The test is whether the transaction could influence the Qatari market — for example, through imports, contractual relationships, or control over entities active in Qatar. There is no published record of enforcement against purely extraterritorial transactions with no nexus, but the law provides the Committee jurisdiction if competitive effects are present.

12. For voluntary filing regimes (only), are there any factors not related to competition that might influence the decision as to whether or not

notify?

Not applicable — Qatar's regime is **mandatory,** not voluntary.

13. What is the substantive test applied by the relevant authority to assess whether or not to clear the merger, or to clear it subject to remedies?

The substantive test is whether the transaction influences the Qatari market in a way that prevents, restricts, or damages competition. The Committee assesses potential unilateral, coordinated, vertical, and conglomerate effects. The analysis focuses on:

- Market structure and the parties' shares;
- Barriers to entry;
- Access to essential inputs; and
- Likelihood of coordination among competitors.

The law is clear that there is no quantitative threshold for determining whether a transaction meets the dominance standard, and regulators have confirmed there is no objective criterion for assessing whether the standard is met. For regional reference, dominance assessments are generally triggered at market shares between 25%–40%.

There is no separate sector-specific substantive test under the merger control regime. However, sector regulators may apply additional review criteria for regulated industries.

14. Are factors unrelated to competition relevant?

The Committee's assessment is primarily competition-focused. There are no formally approved additional considerations outside the scope of the Competition Law. However, the Minister may exempt a transaction if it promotes economic development or consumer welfare.

15. Are ancillary restraints covered by the authority's clearance decision?

There is no express provision on ancillary restraints in the Competition Law or Executive Regulations. In practice, if the Committee issues a conditional approval, the conditions may address related arrangements. Otherwise, parties should self-assess the compatibility of ancillary restraints with competition rules.

16. For mandatory filing regimes, is there a statutory deadline for notification of the transaction?

There is no express statutory deadline to notify. However, clearance must be obtained before implementation and closing prior to clearance constitutes a violation.

17. What is the earliest time or stage in the transaction at which a notification can be made?

The law does not prescribe a specific trigger point for notification. Parties may notify as soon as they have sufficient details of the intended transaction. There is no requirement for a signed binding agreement prior to notification.

18. Is it usual practice to engage in pre-notification discussions with the authority? If so, how long do these typically take?

The Competition Law does not provide for formal pre-notification discussions. However, MOCI encourages parties planning transactions that could result in a dominant position to inform the Committee in writing. There is no set timeline for such informal engagement, and any exchanges would be handled confidentially.

19. What is the basic timetable for the authority's review?

Once a notification is submitted, the Committee has **90 days** from receipt to issue its decision. If no decision is issued within this period, clearance is deemed granted by default. The 90-day period covers the Committee's examination and preparation of a report for the Minister, who then issues the final decision.

20. Under what circumstances may the basic timetable be extended, reset or frozen?

The Executive Regulations allow the Committee to extend its review period in increments (each up to 30 days) for complex cases or where further information is required. Requests for information do not formally stop the clock, but failure to provide complete or accurate information could lead to rejection of the filing.

21. Are there any circumstances in which the

review timetable can be shortened?

There is no formal fast-track procedure. The law does not provide for shortened timetables, and the Committee operates within the standard 90-day framework.

22. Which party is responsible for submitting the filing?

The law does not designate a single party as responsible. Any party to the transaction can submit the notification. In practice, parties often coordinate to ensure all relevant information is provided.

23. What information is required in the filing form?

While there is no standardised form published, the Executive Regulations set out minimum required particulars.

24. Which supporting documents, if any, must be filed with the authority?

Supporting documents may include:

- Transaction agreements;
- Corporate documents of the parties (e.g., certificates of incorporation);
- Relevant licences and approvals;
- Market studies or analyses.

Documents should be submitted in Arabic or accompanied by an Arabic translation. The law does not expressly require notarisation or apostille unless otherwise mandated by related regulatory processes.

25. Is there a filing fee?

There are no filing fees associated with merger notifications under Qatari law.

26. Is there a public announcement that a notification has been filed?

The law does not require public announcement of notifications. The process is confidential, and neither the fact of filing nor the contents of the notification are disclosed by the Committee.

27. Does the authority seek or invite the views of third parties?

There is no express obligation to consult third parties. However, the Committee has broad investigative powers and may seek information from customers, competitors, or other stakeholders if deemed relevant to the review.

28. What information may be published by the authority or made available to third parties?

The law prohibits disclosure of information related to cases under review, except for the purposes intended in the submission. Committee members and MOCI staff are bound by strict confidentiality obligations. There is no public record of published decisions.

29. Does the authority cooperate with antitrust authorities in other jurisdictions?

Yes. The Committee is mandated to liaise with counterpart authorities in other countries on issues of common interest. Confidential information obtained during a review may not be shared without the parties' consent.

30. What kind of remedies are acceptable to the authority?

The law does not detail specific acceptable remedies. In practice, the Committee may accept structural or behavioural commitments that address competition concerns. There is no public record of the frequency or type of remedies accepted, and no indication of an upfront-buyer requirement.

31. What procedure applies in the event that remedies are required in order to secure clearance?

If the Committee identifies a violation or competition concern, it will issue instructions to remedy the situation within a set deadline. The parties may propose adjustments or commitments, but acceptance is at the Committee's discretion. There is no formal staged remedies procedure, and no public record of negotiated remedies processes.

32. What are the penalties for failure to notify,

late notification and breaches of a prohibition on closing?

Failure to notify, late notification, or closing before clearance can result in fines between QAR 100,000 and QAR 5,000,000. The court may also confiscate profits derived from the violation. Individuals responsible for management may be personally liable if they had knowledge of the violation and contributed to it.

33. What are the penalties for incomplete or misleading information in the notification or in response to the authority's questions?

If the Committee finds that incorrect or misleading information was provided, it may disregard the notification and has discretion to impose penalties or refer the matter to the judiciary. The Committee may also revoke clearance obtained on the basis of false information.

34. Can the authority's decision be appealed to a court?

Yes. Decisions ultimately resulting from non-compliance or violations are referred to the judiciary. Appeals can be made to the Court of Appeal and ultimately to the Court of Cassation.

35. What are the recent trends in the approach of the relevant authority to enforcement, procedure and substantive assessment?

There is no significant public enforcement record, and no published decisions or newsletters despite the law requiring periodic publications. This makes it difficult to identify trends, though regional developments suggest Qatar may move towards more active merger control.

However, with that being said, a a notable enforcement event emerged in 2019 involving the high-profile Uber–Careem merger. In August 2019, Qatar's competition authority blocked Uber's US $3.1 billion acquisition of Careem in the domestic market — a decision disclosed publicly only via Uber's SEC filing. Other jurisdictions such as the UAE approved the merger; but Qatar did not, and the decision remained private, shared only with the parties involved. As a result, Careem ceased operations in Qatar in February 2023 because the merger never closed in the local market. This case signals a shift toward more active enforcement, especially where transactions create dominant positions. It underscores the Committee's willingness to intervene in mergers of significant market consequence, even though broader transparency and operational predictability remain limited.

36. Are there any future developments or planned reforms of the merger control regime in your jurisdiction?

There are no announced reforms, but given the age of the current laws and regulations, and the regions' trend towards increased merger control, Qatar may see an updated regime soon.

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