

## **Cabinet Resolution No. (23) of 2017 Regarding Media Content**

### **The Cabinet:**

- Having reviewed the Federal Law No. (1) of 1972 Concerning the Jurisdictions of Ministries and Powers of Ministers, as amended,
- Federal Law No. (15) of 1980 on Publications and Publishing,
- Federal Decree Law No. (5) of 2012 on Combating Cyber Crimes, and the amendments thereof,
- Federal Decree Law No. (2) of (2015) on Combating Discrimination and Hatred,
- Federal Law No. (3) of (2016) on the Child Rights Law “Wadima Law”,
- Federal Law No. (11) of (2016) on the Regulation and Terms of Reference of the ‘National Media Council’,
- Federal Law No. (14) of (2016) on the Administrative Violations and Penalties in the Federal Government,
- Based on the approval of the Cabinet,

### **Hereby resolves as follows:**

#### **Article (1)**

#### **Definitions**

For the purposes of the present Resolution, the following terms and phrases shall have the meanings ascribed thereto, unless the context otherwise indicates:

- State** : The United Arab Emirates.
- Council** : The National Media Council.
- Chairman** : Chairman of the Council’s Board of Directors.
- Media Activities** : Any activities relating to the production, transfer, broadcast, distribution and transmission of the printed, digital, audio and visual information, including activities of press, print, audio-visual broadcasting and film activities, and any other relevant activities specified by the Council.

<b>The Media</b>	: The means used for the transfer of any Media Activities of all types and forms, including electronic or any other information technology means.
<b>Person</b>	: The natural or judicial person.
<b>Publication</b>	: Any writing, drawing, musical piece, photograph or other means of expression in any material, whether it is printed, audio or visual, if it can be circulated in any way, including electronic or digital ways, or any other technical means.
<b>Media Content</b>	: Any information or messages, express or implied, contained or referred to, directly or indirectly, by the Publication of any kind whether broadcast directly or recorded and then broadcast, or re-broadcast or delivered to the public by any means, including but not limited to performance, presentation, films, drama, plays, advertisements, etc.
<b>Circulation</b>	: The process of selling, presenting for sale, distributing, fixing to walls or displaying the printed materials in shop windows for the purpose of sale, advertising, marketing or decoration, as well as any other action that might put them by any means within the reach of a number of people.
<b>Printer</b>	: The owner of a printing press. If such owner leases the printing press to any other party and the lessee has become the actual user of the printing press, then the term "Printer" shall be accorded to the lessee.
<b>Artistic Work</b>	: Any creative work in literature, art or science, whatever the physical picture in which it appears.
<b>Permit</b>	: The approval granted by the Council to allow printing or Circulation of the Media Content.
<b>Circulation Permit</b>	: The approval granted by the Council to allow Circulation of the Media Content.
<b>Printing Permit</b>	: The approval granted by the Council to allow printing of Media Content.
<b>Permit Holder</b>	: The person or entity that has been granted the said Permit in accordance with the provisions of this Resolution.
<b>Age Classification</b>	: Symbols or signs used to determine the appropriateness of the Media Content to different age groups and their conformity with the principles

and standards of the Media Content.

**Establishment** : The enterprise, company or any entity that prints or circulates the media activity.

## **Article (2)**

### **Scope of Application**

The provisions of this Resolution shall apply to the Media Content of any media activity carried out inside the State, in whole or in part, including the Media Activities of the following persons and entities:

1. The audio, visual and printed media that print, publish, broadcast, circulate or distribute the Media Content.
2. Any person who prints any Publication within the State.
3. Any person who circulates any Publication including Publications received by him or sent thereto from outside the State.
4. Diplomatic and consular missions to the State, in respect of the Publications they issue for the purposes of Circulation within the State.
5. Foreign clubs, associations and centers that carry out Media Activities.
6. Free media areas.

## **Article (3)**

### **Basic Principles for Regulating the Printing and Circulation of Media Content**

The present Resolution aims to regulate the printing and Circulation of Media Content, in accordance with the following basic principles:

1. Determination of principles, norms and general standards in accordance with the relevant legislation and in line with the State's general policy and the directions taken by the Federal Government.
2. Affirmation of respect for the public interest and the prevailing religious, cultural and social values in the State.
3. Commitment to respect freedoms of opinion and expression and the constructive interaction in all areas of Media Activities.
4. Strengthening the State's efforts in the fields of reading support and transfer of knowledge, as well

as promotion of publishing, tolerance and innovation.

5. Development and regulation of the media activity as an effective industry that contributes to the advancement of economic development in the State.
6. Provision of balanced, responsible and impartial Media Content that respects the privacy of individuals and protects the different segments of society from any possible negative impacts.

## **Article (4)**

### **Media Content Standards**

Media Content must comply with the following criteria:

1. To respect the divinity of God, Islamic beliefs, the divinely revealed religions and other beliefs, and non-defamation of any of them, including non-incarnation of prophets and apostles.
2. To respect the regime of governance in the State, its symbols and institutions, as well as the supreme interests of the State and society.
3. To respect the cultural heritage and national identity of the State.
4. Not to publish or circulate anything that harms national unity and social cohesion, including non-incitement of sectarian, regional and tribal strife; non-incitement to violence, hatred and terrorist acts; and not to incite hatred and spread the spirit of dissension in society.
5. To respect the policies and directions of the State at the domestic and international levels.
6. Not to offend the prevalent values in society and to take into consideration the requirements of the public interest.
7. Not to harm the economic, judicial and security systems in the State, and not to spread rumors and biased and misleading news.
8. Not to abuse children, women or any other group in society.
9. To respect privacy rules and all matters related to the private lives of individuals.
10. To respect the rights of institutions and individuals, including intellectual property rights.
11. Not to publish or circulate anything that might incite crimes, such as encouraging murder, rape, drug and psychotropic substances abuse, drinking, gambling, magic, smoking, sorcery and astrology.
12. Not to publish, broadcast or circulate statements, images, drawings or opinions that violate the integrity of public morality or are offensive to rising generation or advocate the propagation or

promotion of destructive principles or the principles that would mislead the public.

13. Not to publish, broadcast or circulate false news or papers that are fabricated, forged or incorrectly attributed to entities and persons.
14. Not to publish, broadcast or circulate anything that would harm the national currency or the economic situation of the State.
15. Not to publish, broadcast or circulate advertisements until such time as the approval of the competent authorities has been obtained in accordance with the relevant legislation.
16. Not to violate the legislation in force in the State and to comply with the standards and conditions set out therein.
17. To abide by the terms, controls and any other criteria laid down by the Council.

## **Article (5)**

### **Age Classification**

1. The Council shall lay down the Age Classification criteria for the Media Content of the Publications that require this, in particular books, video games and films, and shall also specify the persons entitled to enter cinemas.
2. The staff of the Council's organizational unit responsible for monitoring Media Content shall determine the Age Classification of the Media Content to be granted the Permit, in the light of the criteria determined by the Council in accordance with the provisions of sub-section (1) of this article.

## **Article (6)**

### **Mandatory Obtaining of the Permit**

It is prohibited to print, circulate or bring any Publication into the State until after a decision has been issued to grant the Permit for its Media Content in accordance with the provisions of this Resolution. The Council may suspend or prohibit the Circulation, printing and entry of any Publication into the State without being granted the stated Permit, and impose penalties on violators.

## **Article (7)**

### **Submission of the Application for Permit**

1. Each person or their legal representative must, prior to printing or circulating the Media Content or bringing any Publication into the State, submit an application to the Council for the Permit, provided that the application be submitted through the electronic system used in the Council according to the forms prepared for this purpose.
2. The following papers and documents must be attached to the application referred to in sub-section (1) of this article:
  - a. Copies of the Publication that contains the Media Content to be granted the Permit, subject to the provisions of article (8) of this Resolution.
  - b. The license to practice a media activity issued by the Council in the conditions that so require.
  - c. The name, capacity and nationality of the person applying to obtain the stated Permit in cases where the license to practice a media activity is not required.
  - d. Any other papers or documents determined by the Council.
3. The application for the Permit shall be submitted by the diplomatic or consular missions to the State through diplomatic channels, accompanied by the approval of the Ministry of Foreign Affairs and International Cooperation to issue the Permit in accordance with the provisions of this Resolution.
4. The application referred to in this article may be decided on without attaching thereto any of the documents referred to in this Resolution, only in exceptional cases to be estimated by the Council; and in such cases, the reasons for accepting the application must be given.

## **Article (8)**

### **Filing of Copies**

1. Subject to the provisions of article (7) of this Resolution, the publisher and importer of a Publication must file with the Council, or with the entity it specifies, five electronic copies of the Publication to be granted the Permit for its Media Content. If the number of copies of the Publication is limited, merely one copy shall be filed and then returned to the applicant after completion of the procedures for granting the Permit.
2. Notwithstanding the provisions of subsection (1) of this article, the Council may specify the terms

and conditions for exemption from the filing of copies.

## **Deciding on the Application for Permit**

### **Article (9)**

The Council shall make a decision on the application for Permit within a period of not more than thirty (30) days from the date of its submission. The Council may postpone making a decision on the application in cases that require a longer period to check the Media Content to be granted the Permit, or in cases where the approval of other entities is required until such time as those entities have made a decision on the application.

### **Article (10)**

The Council may take the action or decision it deems fit with regard to the application for the Permit, including any of the following:

1. Approve the application if it is compliant with the provisions of this Resolution.
2. Approve the application after deletion of any phrase, paragraph, page, image, scene or any part of the Publication, if it violates the principles or standards of the Media Content set out in this Resolution, in particular any violation of religious or moral values, or if it contains something that is placed under a Publication ban in accordance with the provisions of this Resolution or relevant legislation.
3. Prohibit the Circulation, printing or entry of the Publication into the State in the event that it was not possible to make the deletion according to the provisions of sub-section (2) of this article, or in the event that the Publication is in violation of the principles and criteria set out in this Resolution.
4. Prohibit the Circulation, printing or entering of the Publication in the State until the correction of its situation if the Council deems it a violation that can be rectified, or until fulfillment of any conditions or requirements determined by the Council or relevant legislation.
5. Issue an approval conditional on special controls or conditions with respect to certain topics or situations, in a way that does not conflict with the principles and criteria of the Media Content set out in this Resolution.
6. Reject the application for any of the reasons referred to in article (11) of this Resolution.

## **Article (11)**

### **Rejection of the Application**

The Council may reject the application for Permit in any of the following cases:

1. If it does not meet the requirements of this Resolution or other relevant decisions and legislation.
2. If it is in violation of the principles and standards of the Media Content set out in this Resolution or other relevant legislation.
3. Non-approval by any other entity, which it is required by relevant legislation to approve it.
4. Non-compliance with the Age Classification criteria issued by the Council.

## **Article (12)**

### **Obligations of the Permit Holder**

The Permit Holder must comply with the following:

1. Adhere to the Media Content and Age Classification on which the grant of the Permit was based.
2. Obtain the approval of the Council to make any amendment related to a Media Content granted a Permit.
3. Provide any data or information requested by the Council.
4. Not to violate the principles and standards of the Media Content contained in this Resolution or other relevant legislation.
5. Abide by any instructions or conditions established by the Council in relation to the organization of Media Content or activity.
6. Abide by any special conditions set out in the Permit, including Circulation of the Publication in places approved or determined by the Council.
7. Pay the fees and give the guarantees established by relevant legislation.
8. Include the following conspicuously in the Publication:
  - a. Name and address of the Printer.
  - b. Name and address of the publisher, if he is someone other than the Printer.
  - c. Date of printing.
9. Clearly indicate the Age Classification and the classification date, if any, in the foreground of the Publication.

## **Article (13)**

### **Control of Media Content in Book Fairs**

1. All government and private agencies and institutions must obtain the Council's prior approval to hold book fairs.
2. The management of book fairs must abide by the following:
  - a. Provide the Council with a list of the titles of the Publications to be displayed therein, long enough for the Council to review it and ensure that it is not in violation of the provisions of this Resolution and the relevant legislation.
  - b. Monitor the Media Content of the Publications displayed therein so as to ensure compliance with the principles and standards of the Media Content set out in this Resolution in a manner consistent with the Council's terms of reference in this regard.

### **Media Content of Electronic Media Activities**

## **Article (14)**

1. All Electronic Media Activities, whether licensed by the Council or not, are subject to censorship, the principles and standards of the Media Content and the terms and conditions referred to in this Resolution.
2. The person responsible for any Electronic Media activity shall be responsible for everything published through that activity whether the activity is licensed or not.

## **Article (15)**

1. A committee called the 'Website Censorship Committee' shall be formed under the chairmanship of a representative of the Council, and with the membership of a representative of each of the following entities:
  - a. Ministry of Interior.
  - b. Telecommunications Regulatory Authority (TRA).
  - c. National Electronic Security Authority (NESA).
2. The Committee may seek the assistance of competent and experienced specialists it deems appropriate without the right to vote on its decisions.

3. The Council shall issue the required decisions to determine working procedures of the Committee, the quorum for voting on its decisions and other related matters.

### **Article (16)**

The Committee formed under the provisions of article (15) shall take the necessary measures to ensure that the websites do not violate the principles and standards of the Media Content set out in this Resolution and other relevant legislation, and shall submit its recommendations to the Chairman on the following:

1. The websites that it recommends to be blocked.
2. The key words that must be banned when using the Internet.
3. The terms and conditions of the exclusion from banning the Circulation of the Media Content on the Internet for scientific, medical, educational or other reasons determined by the Council.
4. The procedures for the requests for banning websites or excluding websites from banning.

## **Media Content of Advertisements**

### **Article (17)**

The Council shall set the standards and conditions to be met in advertisements that are circulated in the media within the State, without prejudice to the provisions of this Resolution.

### **Article (18)**

The media shall not publish any advertisement that involves a crime or violates the principles and standards for the Media Content contained in this Resolution, or which would compromise the public interest, directly or indirectly.

### **Article (19)**

All paid advertising material must be explicitly and clearly stated as paid advertising material.

## **Media Content for Films and Performances of Other Artistic Works**

### **Article (20)**

The Council may issue instructions and guidelines for movie houses and other similar places so as to maintain the level of cinematic performances in terms of religion, nationality, art and care of public morals in these cinemas and everything that would ensure compliance with the principles and standards of the Media Content set out in this Resolution and relevant legislation.

### **Article (21)**

Cinemas and other similar places must advertise conspicuously and clearly, in the same language used in the advertising and promotion of the Publication, the Age Classification of the Publication and the persons allowed to enter to watch it.

### **Article (22)**

1. It is prohibited for any party to exhibit motion pictures, films or any other work, including a reference made to a film or commercial advertisement in one of the theaters, before obtaining the Council's permission to do so in accordance with the provisions of this Resolution, subject to the controls laid down by the Council in this regard. This prohibition includes the presentations made by any of the entities below:
  - a. Educational institutions, clubs, associations, centers, companies and private institutions, whether the presentation is directed to the public or limited to the personnel thereof, and whether the presentation is given inside or outside their headquarters.
  - b. Diplomatic missions and consular corps if the presentation is addressed to non-personnel thereof or given in a place other than their headquarters.
2. The prohibition referred to in this article shall not apply to the presentations given by ministries, government departments, or public institutions or authorities, if the presentation relates to the nature of its competence and activity.

### **Article (23)**

#### **General Provisions**

1. Printing and Circulation of Media Content shall be adhered to in the form and on the conditions

laid down by the Council and in accordance with the Permit issued pursuant to the provisions of this Resolution. It shall be prohibited to circulate or print it otherwise unless the approval of the Council has been obtained.

2. It shall not be permissible to make any amendment to the Media Content approved by the Council to be granted the Permit in accordance with the provisions of this Resolution, and the Council may consider any amendment thereto to be a violation that requires taking the necessary legal procedures.
3. The Council may make any amendment to the standards and conditions set out in this Resolution, whether by means of addition, deletion or alteration.
4. The Council may issue a decision to suspend or prohibit the printing, Circulation or entry of the Publication into the State if it contains a violation of the principles and standards of the Media Content, or if it was not granted the said Permit in accordance with the provisions of this Resolution.
5. The Council may take the necessary measures to implement any decision issued pursuant to the provisions of subsection '4' of this article.

## **Article (24)**

### **Violations and Penalties**

Without prejudice to any administrative procedure or any penalty provided for by the relevant legislation, the Council may, in case of a violation of the provisions of this Resolution, impose any of the penalties set forth in this Article, as follows:

1. Cancellation of the Permit in any of the following cases:
  - a. Provision of inaccurate, wrong or misleading information when submitting the application for the Permit or thereafter.
  - b. Violation of any provisions of Article (12) of this Resolution.
  - c. Violation of subsection (1) or subsection (2) of Article (23) of this Resolution.
2. Closure of the Establishment for a period not exceeding six (6) months renewable, in case of recurrence of any of the violations set out in subsection (1) of this article.

## **Article (25)**

### **Grievance Procedures**

1. Any interested party may lodge a complaint with the Director General of the Council against any decision issued pursuant to the provisions of this Resolution, provided that the complaint be submitted within a period not exceeding fifteen (15) days from the date of notification of the decision complained against, and that the complaint should be reasoned and accompanied by all supporting documents in accordance with the procedures determined by the Council.
2. The Director General of the Council shall make a decision on the complaint within a period not exceeding thirty (30) days from the date of its submission.

## **Article (26)**

### **Implementation of the Resolution**

The Chairman shall issue the resolutions and determine the procedures required to implement the provisions of this Resolution.

## **Article (27)**

### **Repeals**

Each provision inconsistent with or contrary to the provisions of this Resolution shall be repealed.

## **Article (28)**

### **Publication and Entry into Force**

This Resolution shall be published in the Official Gazette, and shall enter into force as of the day following the date of its Publication.

**Mohammed bin Rashid Al Maktoum**

**Prime Minister**

**Issued by us:**

**Date: 10 / Shawal / 1438 AH**

**Corresponding to: 04 / July / 2017 AD**