

**Cabinet Resolution No. (22) of 2017**  
**Regarding Licenses for Media Related Activities**

**The Cabinet:**

- Having reviewed the Constitution.
- Federal Law No. (1) of 1972 Concerning the Jurisdictions of Ministries and Powers of Ministers, as amended.
- Federal Law No. (15) of 1980 Concerning Publications and Publishing.
- Federal Decree Law No. (3) of 2003 Concerning the Regulation of the Communications Sector, as amended.
- Federal Law No. (2) of (2015) Concerning the Commercial Companies.
- Federal Law No. (11) of (2016) Concerning the Regulation and Terms of Reference of the ‘National Media Council’.
- Federal Law No. (14) of (2016) Concerning the Administrative Violations and Penalties in the Federal Government.
- Cabinet Resolution No. (13) of (2011) Concerning Licensing of the activities of Radio and Television Broadcasting.
- Cabinet Resolution No. (12) of (2013) Concerning the Fees prescribed for Media Licenses.
- Based on the approval of the Cabinet.

**Hereby resolves as follows:**

**Article (1)**

**Definitions**

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

<b>State</b>	: United Arab Emirates.
<b>Council</b>	: National Media Council.
<b>Board Chairman</b>	: Chairman of the Council’s Board of Directors.
<b>Authority</b>	: Telecommunications Regulatory Authority.
<b>Media Activities</b>	: Any activities relating to the production, transfer, broadcast, distribution

and transmission of printed, digital, audio and visual information through the media, including the press, print, audio-visual broadcasting and film activities, and any other relevant activities specified by the Council.

- The Media** : The means used for the transfer of any media activities of all types and forms, including electronic or any other information technology means.
- Electronic Media** : It is the media activity that is practiced through electronic publishing tools and means.
- Person** : The natural or judicial person.
- Publication** : 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.
- Media content** : 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.
- License** : The permission issued by the Council to allow the practice of the media activity in accordance with the provisions of this Resolution.
- Licensee** : The person who obtains the license in accordance with the provisions of this Resolution.
- Establishment** : The enterprise, company or any entity that carries out the media activity.
- Radio and Television Activity** : Any radio or television broadcasting that delivers to the public or certain categories of it signals, sounds or writings of any kind, through channels, waves, transmitters and other techniques, means and methods of broadcasting or transmission.
- Foreign Publication** : A publication that is licensed and circulated outside the State, periodically on either regular or irregular dates.
- Supplement** : Any of the additions annexed to a publication such as those dealing with health, culture, sports or advertising and others.

## **Article (2)**

### **Scope of Application**

The provisions of the present Resolution shall apply to all media activities licensed by the Council.

## **Article (3)**

### **Prohibition of Unlicensed Media Activity**

It is prohibited to practice any media activity until after a resolution has been issued to approve the grant of the license in accordance with the provisions of this Resolution. The Council may stop any unlicensed media activity and impose penalties on the infringing establishment.

## **Article (4)**

### **Requirements of the Licensee**

Subject to the provisions of relevant legislation, the license shall be granted under the provisions of this Resolution to any national(s) of the State or of GCC countries, and it shall be required that the applicant:

1. Does not have a license issued thereto that has been suspended or cancelled, nor has an establishment of his own been closed down; and it is required that he has never been prevented from practicing a media activity, unless the reasons for the relevant resolution or judgment have been removed, as appropriate.
2. There should not be any financial dues that he owes to the Council.
3. Should not be less than (25) years of age, Gregorian calendar. However, the requirement of age may be exempted from by a resolution of the Council.
4. Has exhibited good conduct, and enjoy good reputation.
5. Has never been convicted of an offense violating honor or trust, unless he was rehabilitated or pardoned by the competent authorities.
6. Has an appropriate educational qualification as determined by the Council.
7. Any other conditions, requirements or controls whether established by the Council or required by the nature of the activity to be licensed.

## **Article (5)**

1. Subject to the provisions of subsections '2' and '3' of article (4), the license shall be granted to commercial companies only if they were incorporated in accordance with the legislation in force in the State or in any of the GCC countries, whether their center of operation is in the State or they have any branch therein.
2. It shall be required to grant the license that the media activity of the companies referred to in subsection '1' of this article is included among the activities permitted by their objectives.

## **Article (6)**

### **Requirements for License Application**

1. The application for a license shall be submitted to the Council according to the forms prepared for this purpose, provided the following be complied with:
  - a. The application should be signed by the person in whose name the license is to be issued, or by his legal representative.
  - b. The documents specified by the Council should be attached to the application.
2. The forms referred to in subsection (1) of this article should include the following:
  - a. Detailed data on the person requesting the license to be issued in his name and on behalf of his partners, if any.
  - b. Nature and details of the media activity to be licensed.
  - c. The place where the media activity to be licensed is intended to be practiced.
  - d. The trade name of the establishment, provided that it is not inconsistent with the provisions of the legislations and public order of the State, nor shall it be identical or similar to any other name, which would be confusing.
  - e. Any other data or studies requested by the Council.
3. Should the applicant be a national of the GCC countries or a company established in accordance with the legislation in force in any of them, the following extra conditions shall be met:
  - a. Submit a written statement to the effect that the applicant is not prevented from engaging in the media activity in the country of which he is a national or the company was established in accordance with its legislation, as appropriate.
  - b. The media activity to be licensed should be one of the activities permitted to be practiced

according to the Cabinet Resolution No. (4) of 2007 or any other resolution replacing it.

4. The license application without attaching thereto the documents referred to in this article may be decided on only in exceptional cases estimated by the Council. In such cases, the reasons for accepting the application should be given.

## **Article (7)**

### **Deciding on the License Application**

The Council shall decide on the license application within a period of not more than thirty (30) days from the its date of submission, and the Council may postpone making a resolution on the application in any of the following cases:

1. If the relevant legislation and resolutions require the approval of other entities, until such time as the stated entities decide on the application.
2. If the nature of the media activity to be licensed requires a longer period so as to examine the application.
3. Any other condition specified or approved by the Council.

## **Article (8)**

### **Rejection of the License Application**

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

1. Non-fulfillment of conditions and requirements in accordance with the provisions of this Resolution.
2. If the required guarantees have not been given in accordance with the relevant legislation.
3. Non-approval of any other entities, which are required by the stated legislation to approve the license.
4. Violation of the instructions and regulations for the practice of media activities issued by the Council.

## **Article (9)**

### **Approval of the License Application**

The Council shall issue a resolution on the approval of the license application in case the conditions and requirements of this Resolution have been fulfilled, provided that it reflects in its resolution the following:

1. Type of the media activity the license allows to be practiced.
2. The date the license takes effect and the date of its expiry.
3. The licensee's address for the purposes of notification and communication in respect of all matters pertaining to the license.
4. Any condition or prohibition relating to the license.

## **Article (10)**

### **Notification of the License Applicant**

1. The licensee shall be notified, at the address specified in the application, of the Council's resolution to approve the license application.
2. The licensee shall notify the Council of any modification or change made to the address specified in the license application. In the case of failure to comply with this, the notification made at the address specified in the license application shall be deemed to be correct and legally effective.

## **Article (11)**

### **Validity Period of the License and Renewal Thereof**

1. The license shall be valid for a period of one year, renewable for similar periods, on condition that the application for its renewal be submitted to the Council within a period not exceeding thirty (30) days from the license expiration date.
2. The license shall be deemed cancelled after thirty (30) days from its expiration date, unless it is renewed in accordance with the provisions of this Resolution.
3. Notwithstanding the provisions of sub-section '1' of this Article, the licensee may apply to renew the license for a period not exceeding three (3) years, provided that the prescribed fees are paid for each year.

4. The Council shall issue a resolution approving the license renewal application that is in compliance with the provisions of this Resolution.

## **Article (12)**

### **Disposal of the License**

1. The license shall be issued in the name of the applicant who shall not be entitled to waive it, in whole or in part, in any form; lease it or allow it to be used, invested or managed; nor shall he be entitled to grant permission to any person to dispose of it in any way, except after submitting an application and obtaining the approval of the Council.
2. The request to waive the license must be attached to the documents proving that the assignee meets the conditions provided for in this Resolution.

## **Article (13)**

### **Obligations of the Licensee**

The licensee and all those who represent or work for him shall comply with the provisions of this Resolution and the relevant legislation in the State, including:

1. Adherence to the type of the media activity and all the conditions under which the license has been granted.
2. Obtaining the Council's prior approval of any modification relating to the license.
3. Submission of any data or information requested by the Council.
4. Non-violation of the basic principles and standards of media content set out in the relevant legislation and resolutions.
5. Compliance with the instructions and controls drawn up for the practice of media activities by the Council.
6. Respecting the values of society and taking into consideration the requirements of the public interest.
7. Paying the fees and financial dues and submitting the guarantees provided for by relevant legislation.
8. Submitting the license renewal application within the specified periods.

## **Article (14)**

### **Electronic Media**

1. The Council shall regulate and license electronic media activities and all matters related thereto in accordance with the provisions of this Resolution, provided that all matters relating to the technical aspects thereof be coordinated with the Authority.
2. Any person responsible for the existing electronic media activities prior to the issuance of the present Resolution shall rectify their situations in accordance with the provisions of this Resolution and the instructions issued by the Council for this purpose, within a period not exceeding six (6) months from the date fixed by the Council.

## **Article (15)**

The websites of any of the following entities shall be excluded from the provisions of article (14), provided they adhere to the resolutions issued by the Council to organize their work, and they are:

1. Public schools, institutes, universities and colleges.
2. Government agencies, for the websites designated to publicize their activities.
3. Any other entities specified by the Council.

## **Article (16)**

### **Radio and Television Broadcasting**

The Council shall regulate and license the radio and television broadcasting activities and all matters related thereto in accordance with the provisions of this Resolution, on condition that all matters relating to the technical aspects thereof be coordinated with the Authority, including allocation of frequencies and development of specification and uses of devices.

## **Article (17)**

### **License of Reprint or Distribution of Foreign Publications**

Any foreign publication may be reprinted or distributed inside the State on condition that prior authorization of such is obtained from the Council in accordance with a regulation to be issued for this purpose.

## **Article (18)**

### **General Provisions**

1. The Council's jurisdiction to issue the license shall not prejudice the licensee's responsibility for obtaining the approvals and permits from any other entity, in accordance with the requirements of relevant legislation and resolutions.
2. Licensee may not issue any supplement to the publication until after submitting an application and obtaining the Council's approval in accordance with the conditions and procedures established by the Council in this regard.
3. The licensee may submit a request to suspend the valid license in accordance with the conditions determined by the Council.
4. The Licensee whose license is revoked may apply for a new license only after at least (90) days have elapsed since the date of the license revocation resolution.

## **Article (19)**

### **Violations and Penalties**

Without prejudice to any penalty or procedure 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 license in any of the following cases:
  - a. Provision by the licensee or his representative of inaccurate, wrong, falsified or misleading information when submitting the application for the license or thereafter.
  - b. Failure to engage in the licensed media activity within sixty days from the date of issuing the resolution to approve the license application.
  - c. Cessation of the practice of the licensed media activity for sixty days, whether consecutive or separate, in one single year without obtaining the Council's approval to do so.
2. Closure of the establishment for a period not exceeding six (6) months renewable, in case of violation of the provisions of any of the articles (3), (12) and (13) of this Resolution.
3. Closing down the unlicensed establishment permanently.

## **Article (20)**

### **Grievance Procedures**

1. Any interested party may lodge a complaint with the Director General of the Council against any resolution 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 resolution 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 resolution on the complaint within a period not exceeding thirty (30) days from the date of its submission.

## **Article (21)**

### **Implementation of the Resolution**

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

## **Article (22)**

### **Repeals**

The Council of Ministers Resolution No. (13) of 2011 on the licensing of radio and television broadcasting activities shall be repealed, and any provision inconsistent with or contrary to the provisions of this Resolution shall also be repealed.

## **Article (23)**

### **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 at the Presidential Palace in Abu Dhabi:**

**Date: 10 / Shawal / 1445 AH**

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