

Cabinet Resolution No. (24) of 2020 Regarding the Publishing and Exchange of Health Information about Communicable Diseases and Epidemics and Incorrect Information Relevant to Human Health

The Cabinet:

- Upon reviewing the Constitution;
- Federal Law No. (1) of 1972 Concerning the Competences of the Ministries and the Authorities of the Ministers, as amended;
- Federal Law No. (15) of 1980 Concerning Printed Matters and Publications;
- Federal Law No. (3) of 1987 Promulgating the Penal Code, as amended;
- Federal Law No. (11) of 1992 Promulgating the Civil Procedures Code, as amended;
- Federal Decree-Law No. (2) of 2011 Establishing the National Emergency, Crisis and Disasters Management Authority, as amended;
- Federal Decree-Law No. (5) of 2012 Concerning Combating Cybercrimes, as amended;
- Federal Law No. (14) of 2014 Concerning the Control of Communicable Diseases;
- Federal Decree-Law No. (4) of 2016 on Medical Liability;
- Federal Law No. (14) of 2016 Concerning Violations and Administrative Penalties in the Federal Government;
- Federal Decree Law No. (15) of 2018 Regarding the Collection of Revenues and Public Funds;
- Federal Law No. (2) of 2019 Concerning the Use of the Information and Communication Technology in the Health Sectors;
- Federal Law No. (5) of 2019 Organizing the Practice of Human Medicine;
- Federal Decree-Law No. (26) of 2019 on Public Finance;
- The Cabinet Resolution No. (33) of 2016 Concerning the Executive Regulation of the Federal Law No. (14) of 2014 Concerning the Control of Communicable Diseases;
- Cabinet Resolution No. (57) of 2018 on the Regulation of Federal Law No. (11) of 1992 Promulgating the Civil Procedures Code; and

- Based on the proposal of the Minister of Health and Prevention, and the approval of the Cabinet;

Resolves:

Article (1)

Definitions

In applying the provisions of this Resolution, the following words and phrases shall have the meanings assigned thereto, unless the context indicates otherwise:

State	: United Arab Emirates.
Ministry	: Ministry of Health and Prevention.
Minister	: Minister of Health and Prevention
Health Authority	: Any Health or any federal or local government authority competent with health affairs in the State.
The Authority	: National Emergency, Crisis and Disasters Management Authority.
Health Information	: Any data, new or information relevant to human health in the State.
Health Guidelines	: a description of methods, works and procedures that should be used as guidelines to combat communicable and epidemic diseases, the ones that relate to protection of individuals' health or public health in the community. Communicable Disease: A contagious disease occurring due to a transfer of a pathogenic factor, its poisonous products or secretions either directly or indirectly to another one and cause a disease to that other one.
Epidemic	: A health emergency represented in the appearance of cases of a communicable disease spreading among a group of people at a designated geographical area within a specific period of time and creates a concern at the national scale.

Article (2)

Reporting Cases

Every natural or legal person who has known about the existence of an epidemic, a communicable disease or infected persons inside the State shall inform the Ministry, health authority or Ministry of Interior according to the means determined by those authorities. Those authorities shall investigate and take necessary measures to maintain and keep the health of community.

Article (3)

Authorities that are Competent to Publish Health Information

1. The Ministry and health authority, each within its jurisdiction, shall be responsible for publishing any health information in the State.
2. The Ministry and health authority, each within its jurisdiction, shall be responsible for announcement of any health information or issuing health guidelines relevant to epidemic diseases after being approved by the Authority.
3. The Ministry and health authority, each within its jurisdiction, shall issue or approve health guidelines in the State.

Article (4)

Prohibitions

Any natural or legal person shall be prohibited to publish, re-publish or circulate information or health guidelines that are lying, misleading, false, unofficially announced or unapproved by the Ministry or health authority, or that violate what has been announced through any printed, radio or video media, social networks, websites, IT technology or other means of publishing or circulation.

Article (5)

Responsibilities of the Government Entities

All Federal and local Ministries, governmental entities, each within its jurisdiction, shall:

1. Take the approval of the Authority before answering or replying about any case or accident relevant to health information that relates to epidemic diseases.
2. Nominate the official spokesmen who are authorized to answer or comment as mentioned in Clause "A" of this Article.
3. The UAE Government Communication Office at the General Secretariat of the Cabinet shall select the official spokesmen stated in Clause "B" of this Article and shall inform the relevant entity and the authority with their details.

Article (6)

Administrative Penalty

Without prejudice to any criminal civil or disciplinary liability, an administrative fine that is AED 20,000 twenty thousand dirhams shall be imposed on whoever violates the provision of Article 4 of this Resolution.

The administrative fine shall be doubled in case of repetition.

Article (7)

The Competent Authority to Impose the Administrative Penalty

The Ministry or health authority, each within its jurisdiction, shall impose the administrative fine stated in Article 6 of this Resolution subject to procedures stipulated in this Resolution.

Article (8)

Procedures to Impose the Administrative Penalty

1. The Ministry or health authority, each within its jurisdiction, shall execute the provisions of this Resolution and shall receive reports from individuals or all relevant entities concerning any violation of its provisions is committed.

2. If the Ministry or health authority, each within its jurisdiction, has evidence that the violation occurred, the demonstrative fine stipulated in Article 6 of this Resolution shall be imposed.
3. The Ministry or health authority, as the case may be, shall inform the violator with the administrative violation attributed to him according to the announcement procedures applicable in the legislations in force in the State. This is provided that the notice shall include the administrative violation and administrative fine decided for it. The Ministry or health authority may seek assistance of Ministry of Interior to provide it with the data of the violator and to notify him subject to the agreed method.
4. The violator shall pay the administrative fine imposed on him if the period dedicated for grievance lapses without submitting it or if the grievance is denied as the case may be.

Article (9)

Grievance

1. The violator against whom the administrative fine is imposed as stipulated in this Resolution may appeal to the Minister or the head of the health authority, as the case may be.
2. Grievance shall be submitted within a period that does not exceed (15) fifteen days from the date of the notice sent to the violator concerning the penalty imposed on him. The grievance shall be justified and all supportive documents shall be attached to it subject to procedures determined by the Ministry or health authority as the case may be.
3. The Minister or the head of the health authority shall decide the grievance within a period that does not exceed (30) thirty days from the date of submittal. The decision issued for the grievance shall be final and if no reply to the grievance is received within the mentioned period, this means that the grievance is denied.

Article (10)

Collection of the Administrative Fine

1. The administrative fine imposed by the Ministry shall be collected by the means decided by the Ministry of Finance.

2. The administrative fine imposed by the local health authority shall be collected by the means decided by such authorities.
3. The Ministry of health authority may seek the assistance of any governmental entities to collect the value of the due fine.

Article (11)

Final Provisions

1. The Ministry, in coordination with the health authorities and the Authority shall set the rules and requirements regulating the announcement of health information relevant to epidemic diseases in the State.
2. Health authorities shall notify the Ministry in case it seizes any violation for the provisions of this Resolution.

Article (12)

Issuance of Executive Resolutions

The Minister shall, in coordination with health entities and the Authority, issue the necessary resolutions and procedures to implement the provisions of this Resolution in coordination with the competent authority.

Article (13)

Repeals

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

Article (14)

Publication and Enforcement of the Resolution

This Resolution shall be published in the Official Gazette and shall come into force as of the date of its issue.

Mohammed Bin Rashid Al Maktoum
The Prime Minister

Date: 07 Shaban 1441 A.H
Corresponding to: 31 March 2020 A.D