

Cabinet Resolution No. (16) of 2023
Concerning the “Made in the UAE” Mark

The Cabinet,

- Having reviewed the Constitution; and
- Federal Law No. (1) of 1972, Concerning the Competencies of Ministries and the Capacities of Ministers, and its amendments thereof; and
- Federal Law No. (14) of 2016, Concerning the Administrative Violations and Penalties in the Federal Government; and
- Federal Law No. (10) of 2018, Concerning Products Safety, and its Executive Regulation thereof; and
- Federal Decree-Law No. (20) of 2020, Concerning Standards and Metrology; and
- Federal Decree-Law No. (32) of 2021, Concerning Commercial Companies; and
- Federal Decree-Law No. (25) of 2022 Concerning the Regulation and Development of Industry; and
- Cabinet Resolution No. (10) of 2014, Concerning the United Arab Emirates System for Control of Halal Products; and
- Cabinet Resolution No. (35) of 2015, Concerning the United Arab Emirates System of Control on Conformity Assessment Bodies; and
- Cabinet Resolution No. (25) of 2017, Concerning the Regulation of “Made in the UAE” Mark, and its amendments thereof; and
- Cabinet Resolution No. (13) of 2021, Concerning the Fees of Services Provided by the Ministry of Industry and Advanced Technology, and its amendments thereof; and
- Based upon the proposal submitted by the Minister of Industry and Advanced Technology, and the Cabinet’s approval,

Hereby resolved:

Article (1)

Definitions

In application of the provisions of this Resolution, the words and expressions set forth herein shall bear the meanings ascribed to them, unless the context otherwise requires:

- State** : United Arab Emirates.
- Minister** : Minister of Industry and Advanced Technology.
- Ministry** : Ministry of Industry and Advanced Technology.
- Establishment** : Any establishment, company or legal entity that may practise economic activity in the State.
- Competent Authority** : The federal or local authority or whomever the Ministry delegates the authority to issue a licence certificate to use the Mark or to control and assess conformity such as inspection, examination and market survey to ensure the Mark validity and the quality of the product bearing the mark.
- Product** : The fully or semi-manufactured material(s) produced by the industrial establishment.
- Label** : A card that includes any data and information written, printed, engraved, or stamped on the product that is required to be available in accordance with the relevant technical controls and standard specifications.
- Mark** : A unified national badge to distinguish products manufactured in the State, accompanied by the phrase “Made in the Emirates” and granted to products that meet the requirements of this Resolution.
- License Certificate to Use the Mark** : A document issued by the Ministry that authorises the establishment to use the Mark on the registered and specified products thereof in accordance with the provisions of this Resolution.
- Halal Certificate** : A document certifies that the products, services or production systems specified therein conform with the provisions of Islamic Sharia in accordance with the UAE Law for the Control of Halal Products.
- Approved Standard Specifications** : Specifications approved by the Ministry, referred to as the United Arab Emirates Standard Specifications and shall be abbreviated as (UAE.S).

“Technical Regulations”

- Technical Regulations** : A cabinet resolution specifying the technical requirements, either directly or by reference or inclusion of the contents of a standard, technical specification or practice, which shall be mandatory applicable.
- Conformity Assessment** : Any Activity used directly or indirectly to verify that the good, product, material, or service meets the relevant technical requirements.
- Conformity Certificate** : A document issued by the Ministry certifying the conformity of a specified product or batch of this product to the approved standard specifications or technical regulations.

Article (2)

Resolution Objectives

The objective of this Resolution is to attain the following:

1. Support and market the local product and improve quality and competitiveness thereof at the local, regional and global levels.
2. Distinguish Emirati products that meet the requirements of specifications and standards.

Article (3)

Scope of Application

Provisions of this Resolution shall apply to all manufactured products, including those manufactured in the economic zones and free zones in the State.

Article (4)

Conditions and Documents Required to Obtain a Licence Certificate to Use the Mark

1. Any establishment may submit a request to the Ministry to obtain a licence certificate to use the Mark according to the approved form for such purpose. When submitting the request, the following documents shall be required:
 - a. Industrial Production Licence issued by the Ministry.

- b. Conformity Certificate.
 - c. Fulfilment of the requirements stipulated in Federal Law No. (10) of 2018 regarding Product Safety and the executive regulations thereof, or any applicable law related to product safety.
 - d. Fulfilment of the requirements and provisions of the UAE Law for Control of Halal Products. Besides, the establishment shall have obtained a Halal Certificate for products subject to the provisions of the law.
2. The attached documents referred to in Clause (1) of this Article shall be valid for a period of no less than (30) thirty days from the date of submitting the request.
 3. The product and the label shall not bear any badges, figures, names, symbols, pictures or writings that include any offence to religions, beliefs, and symbols thereof, or that contradict the values and customs of society, or that are prohibited or forbidden by any legislation in force in the State.
 4. The industrial establishment operating in the free zones may apply to the Ministry to obtain a licence to use the “Made in the Emirates” Mark, in accordance with the provisions of this Resolution, taking into account the procedures approved by the legislation in force in the State.

Article (5)

Issuance of Licence Certificate to Use the Mark

1. The Ministry shall issue a licence certificate to use the Mark in accordance with the evidence and procedures approved thereby;
2. The Ministry may request clarifications, information or additional documents related to the conditions outlined in Article (4) of this Resolution, in order to complete the study of the request; and
3. The Ministry shall notify the applicant, via one of the communication means approved thereby, of its decision within (15) fifteen business days from the date of submitting the request, and if the request was rejected, the decision of such rejection shall be reasoned.

Article (6)

Validity of the Licence Certificate to Use the Mark

The licence certificate to use the Mark shall be valid for (3) three years from the date of its issuance, renewable for similar periods, provided that the renewal request, including the documents referred

to in Article (4) herein, shall be submitted within a period not exceeding (30) thirty days from the expiration date of this certificate.

Article (7)

Fees

Fees issued by a Cabinet Resolution and related to the implementation of the provisions of this Resolution shall be collected by the means specified by the Ministry of Finance.

Article (8)

Database of the Licence Certificate to Use the Mark

The Ministry shall assign a serial identification number to the licence certificates to use the Mark, and shall maintain them in accordance with the approved authentication laws designated for this purpose.

Article (9)

The Mark

The Ministry shall approve the shape and design of the Mark, issue a Mark Usage Guide, and shall be the exclusive owner of the intellectual property rights related thereto.

Article (10)

The Mark Usages

The establishment, obtained the licence certificate to use the Mark, shall have the following rights:

1. Print, stick, hang or engrave the Mark on the products covered by the licence to use it on the outer covers and packages in accordance with the Mark Usage Guide referred to in Article (9) herein; and
2. Put the mark on the official papers of the products for which the establishment has obtained the right to use the Mark, and to use and promote the Mark in all advertising means.

Article (11)

Obligations of the Establishment Obtaining the Licence Certificate to Use the Mark

The establishment obtaining the licence certificate to use the Mark shall comply with the following:

1. Not to use the Mark on products unincorporated in the licence in accordance with the provisions of this Resolution;
2. Comply with the instructions and uses of the specified Mark in accordance with the Mark Usage Guide referred to in Article (9) herein;
3. Not to use the Mark in a manner that offends it or degrades the value thereof, and not to use it in a misleading manner;
4. Not to use the Mark by promoting and advertising products that are not included in the licence to use the Mark in accordance with the provisions of this Resolution, or combine, in the process of promotion and advertising, products that have the Mark with others that do not;
5. Stop using the mark upon the expiry of the renewal period stipulated in Article (6) herein without the licence to use the Mark being renewed or during the period of mark usage suspension, or upon its withdrawal or cancellation;
6. Not to conduct any change to the product obtained the licence certificate to use the Mark without notifying the Ministry and obtaining approval thereof on the change;
7. Not to violate the approved standard specifications, related technical regulations, or the quality requirements on the basis of which the licence certificate to use the Mark was granted;
8. Stop using the mark immediately in the event that the establishment finds that there is a case of non-conformity of the product obtaining the Mark with any of the requirements of standard specifications or technical regulations and quality standards, and inform the Ministry of this within a period of (5) five working days from the date of non-conformity;
9. Not to use any means or method to circumvent the correct use of the Mark, including imitation of the mark on any product or in the means of promotion and advertising related thereto; and
10. Withdraw and return the product in case of violation of the previous clauses of this Article, in coordination with the Ministry and the competent authorities.

Article (12)

Administrative Violations and Penalties

The Cabinet, based on the proposal of the Minister and the presentation of the Minister of Finance, shall issue a resolution regarding administrative violations and penalties to be imposed on violators of any of the provisions stipulated herein or the resolutions issued in implementation of provisions thereof.

Article (13)

Appeal

Any concerned person may complain in writing to the Minister, his representative, against any decision issued on the basis of the provisions of this Resolution, within a period not exceeding (15) fifteen days from the date of being notified of the decision complained against, provided that the complaint shall be justified and accompanied by supporting documents. This complaint shall be decided on within a period not exceeding (30) thirty days from the date of its submission, and the complainant shall be notified of the result within (5) five working days from the date of the complaint decision. The decision of the Minister, or his representative in this regard, shall be final. If the periods mentioned in this Article ended without a response, the complaint shall be deemed rejected.

Article (14)

Administrative Control

1. The Ministry employees shall have the right to prove what happened in violation of the provisions of this Resolution and the decisions issued in implementation thereof, and to file the violations, within the scope of their respective competence, and for this purpose, they shall have the right to:
 - a. Inspect the establishment obtained the licence certificate to use the Mark to ensure that the establishment performs the production process of products obtaining the licence certificate to use the Mark.
 - b. Inspect and conduct a market survey on the products that have obtained the Mark in coordination and cooperation with the competent authorities, including sampling and

conducting checks and tests on the products, to verify their continued compliance with standard specifications, approved technical regulations, and quality requirements, and that the establishment is committed to the provisions of this Resolution, on the basis of which the licence to use the Mark has been granted.

- c. Review documents and information related to violations of the provisions herein.
2. In the event that the results of the inspections, checks, tests, or market survey are in violation of the establishment obligations contained herein, the Ministry, in coordination with the competent authority, shall take the appropriate measures and impose penalties in accordance with the legislation issued in this regard.

Article (15)

Confidentiality

The Ministry employees, who have access to any information or data of a confidential nature relating to products, when carrying out their duties in accordance with the provisions of this Resolution and the decisions issued pursuant thereto it, shall maintain it and not disclose it to third parties except upon request and with the prior written consent of the party owning this information or data or based on a judicial ruling and in accordance with the legislation in force in the State.

Article (16)

Executive Resolutions

The Minister shall issue the Resolutions necessary to apply the provisions of this Resolution.

Article (17)

Repeals

1. Cabinet Resolution No. (25) of 2017 regarding the “Made in the Emirates” mark Law and its amendments shall be repealed, as well as every provision that contradicts the provisions of this Resolution; and
2. The decisions issued in implementing the decision referred to in Clause (1) of this Resolution shall continue to be enforced until a replacement is issued in accordance with the provisions of this Resolution.

Article (18)

Publication and Entry into Force

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

Mohammed Bin Rashid Al Maktoum

Prime Minister

Issued by Us:

On: 21 Shaaban 1444 A.H.

Corresponding to: 13 March 2023 AD