

Cabinet Resolution No. (52) of 2024
Concerning the Administrative Penalties for Violating the Provisions
of Federal Decree-Law No. (46) of 2021 Concerning Electronic
Transactions and Trust Services and its Executive Regulations

The Cabinet,

- Having reviewed the Constitution; and
- Federal Decree-Law No. (46) of 2021, Concerning Electronic Transactions and Trust Services; and
- Based upon the proposal submitted by the Minister of Finance and the Cabinet’s approval,

Has resolved as follows:

Article (1)

Definitions

In application of the provisions herein, the following words and expressions shall have the meanings ascribed thereto, unless the context requires otherwise:

- Authority** : Telecommunications and Digital Government Regulatory Authority.
- Chairman** : Chairman of the Authority’s Board of Directors.
- Decree-Law** : Federal Decree-Law No. (46) of 2021, Concerning Electronic Transactions and Trust Services.
- Executive Regulations** : Cabinet Resolution No. (28) of 2023 Concerning the Executive Regulations of Federal Decree-Law No. (46) of 2021 Concerning Electronic Transactions and Trust Services.
- Trust Services** : The Electronic Services specified under Clause (1) of Article (17) of the Decree-Law and which the Trust Service Provider is licensed to provide in accordance with the Licence issued to it.

Accredited Trust Services	: The Electronic Services specified under Clause (2) of Article (17) of the Decree-Law and which the Trust Service Provider is licensed to provide in accordance with the Licence issued to it.
Trust Service Provider	: Licensed by the Authority in accordance with the provisions of the Decree-Law and Executive Regulations thereof to provide one or more Trust Services.
Accredited Trust Service Provider	: A Trust Service Provider granted the status of being accredited by the Authority to provide Trust Services and accredited Trust Services according to the status granted to it.
License Holder	: A legal person licensed by the Authority in accordance with the provisions of the Decree-Law and Executive Regulations thereof.
License	: The authorisation issued pursuant to the provisions of the Decree-Law and Executive Regulations thereof, which allows the Licence Holder to carry out any of the Trust Services or Accredited Trust Services.
Administrative Violation	: Doing or refraining from doing act that would constitute a violation of the Decree-Law, Executive Regulations thereof, and the resolutions issued in implementation thereof.

Article (2)

Violations and Administrative Penalties

1. Without prejudice to any more severe penalty or other procedure stipulated in the Decree-Law and other relevant legislation. The Authority may impose administrative fine on anyone who commits any of the acts specified in the Table attached to this resolution that are in violation of the provisions of the Decree-Law and Executive Regulations thereof.
2. The Authority may double the value of the administrative fine specified in the Table attached to this resolution in the event of the repetition of the same Administrative Violation before one year has passed from the date of its first time.

3. The Authority may double the administrative fine if the Violator does not amend his status based the Authority instructions and within the period specified by it.

Article (3)

Amendment to the Violations and Administrative Penalties

The Cabinet has the power to make or amend the administrative fines mentioned in this resolution, whether by addition, deletion or amendment.

Article (4)

Appeal

Any interested party may submit a written appeal to the Authority Director General regarding the administrative fines referred to in this resolution and that were imposed against him, within (14) fourteen days from the date of notice. The Appeal shall be reasoned and accompanied by all supporting documents, and a decision is made. This Appeal shall be filed within thirty (30) days from the date of its submission in accordance with the Authority measures and procedures in force.

Article (5)

Collection of Administrative Fines

Fines stipulated in this Resolution shall be collected through the methods established by the Ministry of Finance.

Article (6)

Executive Resolutions

The Chairman shall issue the necessary resolutions to implement this resolution provisions.

Article (7)

Repeals

1. Resolution No. (1) of 2008 of the Minister of Economy concerning the issuance of the regulations for certification service providers shall be cancelled.
2. Any provision that violates or contradicts the provisions of this resolution shall be repealed.

Article (8)

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:

On: 7 Dhul-Qi'dah 1445 A.H.

Corresponding to: 15 May 2024 AD

**Table Attached to Cabinet Resolution No. (52) of 2024
Concerning Administrative Fines due to the Violation of the
Provisions of Decree-Law No. (46) of 2021 Concerning Electronic
Transactions and Trust Services and Executive Regulations thereof**

No.	Violation Description	Administrative Fine Amount (AED)
1.	Commence any of the Trust Services or Accredited Trust Services without being obligated to take the specified procedures concerning Licence Renewal within (30) days from the Licence expiration date.	(300) Three hundred for each day of delay, with a maximum of (9,000) nine thousand.
2.	Provide Trust Services or Accredited Trust Services after the Licence expires.	(500) five hundred for each day of delay, with a maximum of (90) ninety days. The Authority may suspend the Licence after a period of (90) ninety days from the date of Licence expiration.
3.	The Licence Holder failure to provide TDRA with documents and data related to its business, services and clients.	(10,000) Ten thousand
4.	The Licence Holder obstructs the inspection or audit of the person appointed or authorised by the Authority.	(10,000) Ten thousand
5.	Failure to implement the obligations and requirements of the Decree-Law, Executive	(15,000) Fifteen thousand

	Regulations thereof, and the resolutions and circulars issued by the Authority and the relevant authorities.	
6.	The Licence Holder violates the resolution issued to suspend or stop from practising their activities and provide their services.	20,000 Twenty thousand
7.	Assign the Licence to another party without obtaining the Authority prior approval.	20,000 Twenty thousand
8.	Modify the Licence Holder data and ownership without obtaining the Authority approval.	20,000 Twenty thousand
9.	Publish data or information that contradicts the Authority records.	(20,000) Twenty thousand
10.	The Licence Holder fails to comply with the resolution to suspend or cancel the Licence and his conclusion of contracts, provision of services, or receipt of fees for Trust Service or Accredited Trust.	(50,000) Fifty thousand
11.	The Licence Holder fails to fulfil his obligations arising from contracts concluded prior to the suspension of their work or the cancellation of their Licence.	(20,000) Twenty thousand
12.	The Licence Holder fails to comply with the technical standards during the licensing period in accordance with the provisions of the Decree-Law, Executive Regulations thereof, and relevant resolutions and instructions.	(20,000) Twenty thousand
13.	The Licence Holder does not act in a fairly and honestly in all its activities, operations, presentation and marketing of their services.	(20,000) Twenty thousand

14.	The Licence Holder fails to comply with the controls and procedures concerning the appointment or reliance on those with specialised expertise in managing and operating services.	(50,000) Fifty thousand
15.	The Licence Holder fails to comply with the requirements, standards, controls and procedures related to the use of safe and reliable systems and technologies.	(50,000) Fifty thousand
16.	The Licence Holder fails to comply with the procedures related to suspending services and activating termination plans.	(50,000) Fifty thousand
17.	Failure to obtain a Licence to use the capacity of the authorized person to provide the authorised Trust Services specified in the Licence application.	(20,000) Twenty thousand
18	Failure of the Accredited Trust Service Provider to comply with the controls, procedures and standards related to the use of the accredited trust mark in accordance with the requirements and resolutions issued by the Authority.	(10,000) Ten thousand
19	Advertise services before obtaining a Licence, or advertise after the Licence expires.	(50,000) Fifty thousand
20	The Licence Holder fails to inform or notify the party relying on the Trust Services or the Accredited Trust Services of the levels of security and trust of the digital identity used.	(10,000) Ten thousand
21	The Licence Holder fails to provide appropriate mechanisms for receiving and handling complaints or suspending and cancelling the client account for the services provided.	(10,000) Ten thousand

22	The Licence Holder fails to assist and enable the transfer of clients to another Licence Holder in accordance with the controls and instructions issued by the Authority.	(10,000) Ten thousand
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