

Federal Decree by Law No. (29) of 2024
On Empowering the Arts Sector

We, Mohammed bin Zayed Al Nahyan, President of the United Arab Emirates,

- Having reviewed the Constitution;
- Federal Law No. (1) of 1972, On the Competences of Ministries and the Powers of Ministers, and its amendments thereof; and
- Based on the proposal submitted by the Minister of Culture, and the Cabinet's approval.

Have promulgated the following Decree by Law:

Article (1)

Definitions

For the purposes of this Decree by Law, the following words and phrases shall have the meanings assigned to each of them unless the context requires otherwise:

- State** : United Arab Emirates.
- Ministry** : Ministry of Culture.
- Minister** : Minister of Culture.
- Art/Arts** : The product of human creativity and talent that reflects one's emotions, inner sentiments or expresses one's perceptions, whether in an audible, visual, or written form.
- Art Institution** : A private legal entity licensed in accordance with the provisions of this Decree by Law and the applicable legislation in the state, for the purposes of carrying one or more of the Artistic Activities specified in Article (4) of this Decree by Law, without aiming to achieve profit.
- Local Authority** : The local government entity responsible for licensing the Art Institution and supervising and overseeing it under the applicable legislation, within whose jurisdiction the institution is located.

- Competent Authority** : The Local Authority, or the ministry in the Emirate where there is no Local Authority responsible for licensing the Art Institution.
- Special Register** : The register established by the Competent Authority in which the Art Institution is registered under this Decree by Law.
- Central Electronic Register** : A central database at the Ministry in which all Art Institutions, registered in the Special Registers with the Competent Authorities, are recorded.
- Art Collections** : All tangible production in the field of arts, including contemporary and digital arts, those produced using advanced technology, including original copies, samples, models, documents, charts, photographs, films, records of paintings, sculptures, images, objects, collectibles, artifacts, coins, tools of any kind or expression method, having artistic value.

Article (2)

Objectives of the Decree by Law

This Decree by Law aims to empower the arts sector in the state through the following:

1. Enhancing the art environment that nurtures arts.
2. Encouraging artistic production by creative individuals and talent communities.
3. Establishing values of coexistence and openness to cultures through artistic and creative products.
4. Stimulating creative economy by employing creativity and arts to drive economic development and increase the economic impact of the sector of creativity and art on the overall economy of the State and its presence in the global creative scene.
5. Seeking to unify legislation and policies that regulate Art Institutions at State level.

Article (3)

Scope of Application

1. The provisions of this Decree by Law shall apply to Art Institution that engages in Artistic Activities in the state, matters related to supporting and empowering arts, and the governmental entities responsible for that.
2. Activities related to antiquities are outside the scope of this Decree by Law, and the Cabinet may determine other cases that do not fall within the scope of application of this Decree by Law.

Article (4)

Artistic Activities

1. Any Art Institution may be licensed to engage in one or more activities related to the arts sector, including but not limited, to visual, auditory, performing, literary, theatrical, and musical arts, whether material, visual, digital, or technological, presented or made available to the public through private museums, centers, art exhibitions whether permanent or temporary theatrical performances, creative shows, or any other forms.
2. The Executive Regulation of this Decree by Law shall specify the conditions and controls that should be met by the Art Institution according to the nature of the activity it wishes to engage in and other forms of Artistic Activities.

Article (5)

Conditions Required for Founders

1. An Art Institution may be established by any natural or legal person who meets the following conditions:
 - a. Legal capacity.
 - b. The natural person should have good conduct and reputation, should not have been previously convicted of a freedom-restricting penalty in a felony or a misdemeanor involving dishonor or breach of trust, unless restituted.
 - c. Any other conditions determined in the Executive Regulation of this Decree by Law.

2. The Art Institution may not engage in any commercial activity or acquire the status of a merchant.

Article (6)

The Committee

1. A Committee shall be formed by a Resolution issued by the Council of Ministers based on the Minister's recommendation. The task of the Committee is to review the licensing applications of the Art Institution referred to it by the Competent Authority and to submit a non-binding recommendation on the subject matter, to the Competent Authority.
2. The representation of the different Emirates shall be taken into consideration when forming the Committee referred to in clause (1) of this Article.
3. The recommendation shall be either to accept or to reject the application; and if rejected, the reasons should be outlined.

Article (7)

Licensing Procedures

1. The licensing application shall be submitted, to the Competent Authority, by the founder or founders or their representatives where the Art Institution's headquarters or branch is located, according to the form prepared for this purpose, accompanied by the Articles of Association in accordance with the applicable legislation.
2. The Articles of Association of the Art Institution shall include the following data:
 - a. Name or names of the founders and their addresses.
 - b. Its headquarters.
 - c. The name of the Art Institution, provided it does not create confusion with any entity in the State, and it may include the name or names of the founders.
 - d. The Artistic Activities it wishes to engage in and its tasks.
 - e. Any monetary or in-kind contributions provided by the founder(s).
 - f. The designation of the founder(s) participating in the Board of Trustees.
 - g. Financial resources.
 - h. Objectives.

- i. Any other data specified by the Executive Regulation of this Decree by Law.
3. The Competent Authority shall complete the review of the licensing application within (30) working days from the date of receipt of the application and all supporting documents in accordance with the provisions of this Article.
4. The Competent Authority shall refer the licensing application to the Committee formed under Article (6) of this Decree by Law, and the Committee shall inform the Competent Authority of its recommendation regarding the application within (30) working days.
5. The Competent Authority shall decide, within (30) working days from the date of receiving the committee's recommendation, on any of the following:
 - a. In case of approval of the licensing application, the Art Institution shall be registered in the Special Register in the Competent Authority prepared for this purpose, and it shall be granted its licensing certificate and announced in the Federal Official Gazette, and shall have the right to commence its activities.
 - b. In case the licensing application and supporting documents do not comply with the provisions of this Decree by Law and any related legislation, the Competent Authority shall issue a notice to the applicant and grant them a time period to address defaults and rectify any breach, and the application shall be considered rejected if the applicant does not rectify their licensing application within the specified period.
 - c. In case of rejection of the licensing application, the Competent Authority shall issue its decision and notify the applicant thereof.
6. The applicant has the right to appeal the rejection decision in accordance with Article (20) of this Decree by Law.
7. The Executive Regulation of this Decree by Law shall specify any other conditions or procedures related to licensing.

Article (8)

Registers

1. The Competent Authority shall maintain records of licensed Art Institutions in the Special Register and record any amendments or changes to them.

2. The Art Institution shall submit a request to the Competent Authority regarding any amendment or change to its data or activity or any other change within (30) working days.
3. Local Authorities should notify the Ministry of licensed Art Institutions within (30) working days from the date of licensing, for the purpose of including them in the Central Electronic Register.
4. The Ministry shall register all Art Institutions licensed under the provisions of this Decree by Law in the Central Electronic Register and any amendments or changes to them.
5. The Ministry may request Local Authorities to provide any information or data related to the Art Institutions registered with them in accordance with the provisions of this Decree by Law and the applicable legislation.
6. Electronic linking between the Central Register and the Special Register may be established by agreement and coordination between the Ministry and Local Authorities.

Article (9)

Legal Personality of the Art Institution

1. The Art Institution acquires legal personality upon the issuance of its licensing decision and its announcement as specified in Article (7) of this Decree by Law.
2. The Art Institution shall have financial and administrative independence and the right to litigate; and in that capacity it may:
 - a. Own movable and immovable property.
 - b. Conduct legal transactions that achieve its purposes, including contracts.
3. In all of the Art Institution's papers, documents, and website, it should state that it is a non-profit and limited liability Art Institution.

Article (10)

Board of Trustees of the Art Institution

1. Each Art Institution shall have a non-dedicated and unpaid Board of Trustees, and the Executive Regulation of this Decree by Law shall specify the number of its members, membership conditions, formation method and duties.

2. The Competent Authority may reform the Board of Trustees of the Art Institution in case the Board commits a violation or is unable to perform its duties effectively or for any other serious reasons, and it may dismiss any member of the Board of Trustees or accept their resignation and appoint a replacement who meets the conditions.
3. The Board of Trustees shall have the following tasks and powers:
 - a. General supervision of the Art Institution's operations.
 - b. Approval of administrative and financial decisions of the Art Institution.
 - c. Appointment of a manager for the Art Institution, termination of his/her services, acceptance of resignation, and determination of all rights.
 - d. Seek to attract endowments, aids, grants, testaments, gifts, and sponsorships for the benefit of the Art Institution in accordance with the applicable legislation in this regard.
 - e. Appointment of a licensed external auditor in due form.
 - f. Approval of the annual budget of the Art Institution proposed by the manager.
 - g. Reviewing the annual achievements report and administrative work of the Art Institution.
 - h. Taking all necessary measures to develop the Art Institution's operations based on the results of its performance evaluation.
 - i. Submitting a performance evaluation report of the Art Institution, summary of the annual budget, and closing accounts to the Competent Authority.
 - j. Any other powers specified by the Executive Regulation of this Decree by Law.
4. The Executive Regulation of this Decree by Law shall specify the mechanism for naming the Chairman of the Board of Trustees and his/her powers, the mechanism for convening the board, quorum for sessions, and voting.
5. The Executive Regulation of this Decree by Law shall specify cases where the Competent Authority may exempt the Art Institution from the requirement to form a Board of Trustees, considering the size, nature, and activity of the Art Institution and aiming to encourage small Art Institutions.

Article (11)

Manager of the Art Institution

1. The Art Institution shall have a manager whose relationship with it is determined by a decision from the Board of Trustees in accordance with clause (3) of Article (10) of this Decree by Law.
2. The manager shall be accountable before the Board of Trustees.
3. The manager shall represent the Art Institution before third parties in all administrative, legal, contractual, and judicial matters, among others.
4. Notwithstanding clause (3) of this Article, the Chairman of the Board of Trustees shall represent the Art Institution for the purposes of contracting with the manager.
5. The Art Institution, exempted from the requirement to form a Board of Trustees, should appoint the manager in its Articles of Association. The manager shall have the following tasks and powers:
 - a. Manage the Art Institution's affairs and supervising its employees.
 - b. Prepare the Art Institution's annual budget and submit it to the Board of Trustees for approval.
 - c. Submit an annual report to the Board of Trustees detailing the Art Institution's achievements and administrative activities.
 - d. Achieve the Art Institution's objectives and realize its purposes.
 - e. Take all the necessary measures to develop its operations based on the results of the Board of Trustees' evaluation of its activities.
 - f. Send a copy of the Art Institution's performance evaluation report, summary of the annual budget, and closing accounts to the Ministry.

Article (12)

Administrative Body of the Art Institution

The Art Institution may appoint administrators, specialists, and personnel to manage its affairs in accordance with the applicable legislation in the State.

Article (13)

Tasks of the Art Institution

The Art Institution may perform any of the following tasks in compliance with its license:

1. Employment of Artistic Activities to serve cultural, entertainment, educational, academic, or social objectives.
2. Collection, storage, and display of Art Collections.
3. Organization of events to provide the public with artistic experiences and learning opportunities.
4. Provide programs to develop youth talents in the State.
5. Creation of electronic records related to the Art Institution's materials and making them available or displaying them to the public.
6. Provide necessary interpretation or guidance for using the Art Institution's materials to the public.
7. Establishment of research rooms, laboratories, craft rooms, libraries, and others, and permitting public use in accordance with the applicable legislation.
8. Preparation and distribution of explanatory guides, research, and studies related to the Art Institution and its materials.
9. Conduct technical research and studies related to arts, their materials, storage, and display.
10. Use of digital technologies and virtual platforms to expand access to Art Collections and exhibitions.
11. Organization of lectures, courses, film screenings, and study groups related to the Art Institution's materials.
12. Collaboration with educational, academic, and cultural entities related to arts and supporting their activities.
13. Provide necessary services to facilitate and create creative contemporary art.
14. Any other tasks approved by the Competent Authority.

Article (14)

Duties of the Art Institution

The duties of the Art Institution include:

1. Compliance with the terms and conditions related to the Art Institution pursuant to this Decree by Law.
2. Collaborate with the Competent Authority to enhance arts and knowledge exchange and to promote the development of arts, contributing to the growth of the artistic sector as an economic pillar.
3. Proposal of cooperation to organize joint Artistic Activities and workshops with the Competent Authority.
4. Preservation and maintenance of Art Collections it owns to ensure their sustainability and use for authorized Artistic Activities.
5. Provide approved insurance documents for any Art Collections upon the request of the Competent Authority and in requested cases.
6. Preservation of intellectual property rights in accordance with the applicable legislation.
7. Disclosure, at the end of each year, of its annual work report, summarized annual budget, and approved closing accounts, and publishing them through available means.

Article (15)

Prohibitions

The Art Institution is prohibited from:

1. Deviating from its specified purposes and tasks.
2. Engaging in any unlicensed or unauthorized activity without obtaining approval from the Competent Authority.
3. Interfering in politics or inciting hatred, sectarian, racial, or religious conflicts, or matters affecting the State's security and its ruling system.
4. Forming any entity with any other party inside or outside the State.
5. Using its facilities for unlawful purposes.

Article (16)

Financial Affairs of the Art Institution

1. The Art Institution, established under the provisions of this Decree by Law, is non-profit, and any revenues it generates, if applicable, shall be rolled over into its budget.
2. The Art Institution should spend its funds for the purposes for which it was established, and it may not engage in trading or financial speculations.
3. The Art Institution, after obtaining the necessary approval, may dispose part of its Art Collections in accordance with the conditions and restrictions specified by the Competent Authority.

Article (17)

Financial Resources of the Art Institution

The financial resources of the Art Institution consist of:

1. Monetary and in-kind contributions provided by the founders.
2. Revenues from Artistic Activities and services it provides in line with its objectives and competencies.
3. Endowments, aids, grants, testaments, gifts, and sponsorships with the Competent Authority's approval – in circumstances where the approval is required – in accordance with what is specified in the Executive Regulation of this Decree by Law.
4. Any other revenues specified by the Executive Regulation of this Decree by Law.

Article (18)

Deposit of the Art Institution's Funds

1. The Art Institution shall deposit its monetary funds in its name, in one or more accounts, with any of the licensed banks operating in the State and is prohibited from spending such funds before depositing them in these accounts.
2. The Art Institution shall notify the Competent Authority of its accounts mentioned in clause (1) of this Article, and any changes to the type of the account or the bank where its funds are deposited within (15) working days from the date of the said change.

Article (19)

Customs and Tax Facilities

1. Without prejudice to any exemptions provided under the applicable legislation in the State or any international or regional agreement to which the State is a party:
 - a. The provisions of Federal Decree No. (15) of 2022 ratifying the Unified Customs Law (Regulation) for the Gulf Cooperation Council States shall apply to Art Collections imported into the State.
 - b. Approval for the Art Institution's request to bring Art Collections into the State shall be issued by the relevant authorities.
 - c. Customs authorities in the state shall facilitate and support the Art Institution in compliance with Federal Decree No. (15) of 2022 Ratifying the Unified Customs Law (Regulation) for the Gulf Cooperation Council States and the international agreements in this regard.
2. Art Institutions may apply for corporate tax exemption in accordance with the terms and conditions of Federal Decree by Law No. (47) of 2022 On Corporate tax and its amendments, in accordance with the applicable procedures.
3. Local authorities may grant any other privileges to Art Institutions in accordance with the applicable legislation.

Article (20)

Grievances

1. Any interested party may file a grievance with the Competent Authority, as the case may be, against decisions or procedures taken against them under the provisions of this Decree by Law within (30) working days from the date of notification of the decision, procedure, or measure subject of the grievance.
2. The grievance, referred to in clause (1) of this Article, shall be decided within (30) working days from the date of submission, and the decision issued regarding the grievance shall be final, without prejudice to the right to challenge this decision before the competent court.

Article (21)

Conflict of Interest

The Chairman or members of the Board of Trustees of the Art Institution, its manager, or any of its employees shall not have any direct or indirect interest in the contracts and commitments entered into by the Art Institution in which they serve on the Board of Trustees, manage, or are employed. The Executive Regulation of this Decree by Law shall specify the circumstances and conditions where the Chairman of the Board of Trustees or a board member may be a party to a contract with the Art Institution.

Article (22)

Control of Art Institutions

1. The Art Institution and its activities shall be subject to the Competent Authority's supervision, from all administrative and financial aspects to verify the expenditure and proper direction of its financial and in-kind resources for the purposes it serves; and the Competent Authority may, for this purpose, review the records and documents of the Art Institution and request any data or reports.
2. The Ministry, along with the Local Authority, shall undertake the following:
 - a. Establish policies and issue measures to ensure accountability and integrity of Art Institutions and implement awareness and education programs on all topics related to combating money laundering and terrorism financing.
 - b. Exchange data and information related to Art Institutions in the State at all local, regional, and international levels to combat money laundering and terrorism financing.
 - c. Any other tasks specified by the Executive Regulation of this Decree by Law.

Article (23)

Dissolution and Liquidation of the Art Institution

1. The Art Institutions shall be dissolved in any of the following events:
 - a. Upon a request submitted to the Competent Authority by the Art Institution's Board of Trustees.

- b. Pursuant to a decision from the Competent Authority for reasons it deems appropriate, including:
1. Engagement in activities that conflict with public order or morals.
 2. Issuance of a final court judgment convicting it of activities harmful to the public interest.
 3. If it is found that it does not achieve the purposes for which it was established or is unable to achieve them.
 4. If it disposes its funds in ways other than those specified hereof.
 5. If it ceases or becomes unable to fulfill its financial obligations.
 6. If it commits a serious violation of the provisions of this Decree by Law or the applicable legislation in the State.
2. The Competent Authority shall appoint one or more liquidators at the expense of the Art Institution.
 3. The Art Institution, subject to dissolution, shall retain its legal personality to the extent necessary to complete its liquidation procedures.
 4. The Competent Authority shall issue a decision to remove the Art Institution from the Special Register after completing the liquidation procedures; and the said decision shall be published in the Official Gazette; and the Ministry shall remove it from the Central Electronic Register.
 5. If the Competent Authority decided to dissolve the Art Institution, the Minister, in coordination with the Competent Authority, shall issue a decision specifying the method of dealing its funds and documents, and the entity to which its rights and obligations shall be transferred to, taking into account enabling the founder(s), as the case may be, to recover their movable funds proven to be presented to the Art Institution, if possible, after settling the Art Institution's obligations to third parties.

Article (24)

Branch of a Foreign Art Institution

Any Art Institutions, public and private museums, exhibitions, and generally any entity engaged in Art Activities that have a legal presence outside the State, intending to take the

form of an Art Institution in the State, may establish a branch in the State, and in such event, the provisions of this Decree by Law shall apply to the branch provided it does not aim to gain profit.

Article (25)

Temporary Artistic Activities

Natural or legal persons, inside or outside the State, may establish private museums, art exhibitions, theatrical, or creative performances held temporarily, provided they obtain permits and approvals from the Competent Authority.

Article (26)

Publishing and Making Arts Available in Public Spaces

1. The Ministry and Local Authorities shall establish programs to publish artworks and make them accessible to all segments of society.
2. The Ministry and Local Authorities shall maintain records of Artistic Activities held in public spaces, including those held by individual artists.

Article (27)

Empowering Creative Individuals

1. The Ministry and Local Authorities shall provide a system of incentives and facilities to empower creative individuals and reduce the costs of engaging in Artistic Activities, in coordination with relevant entities.
2. The Competent Authority shall design indirect financing programs to promote individual artistic creations and products.
3. The Competent Authority shall establish a comprehensive system to honor and appreciate creative individuals in the fields of culture and art at both the federal and local levels.

Final Provisions

Article (28)

Administrative Penalties

The Cabinet, based upon the Ministry's proposal, and in coordination with the Local authority, shall determine the violations and administrative penalties for acts committed in violation of the provisions of this Decree by Law and the decisions issued pursuant to it, the entities responsible for imposing these penalties, the mechanism for appealing them, and the entity responsible for collecting administrative fines.

Article (29)

Judicial Enforcement Powers

The Minister of Justice, or the head of the relevant local judicial authority, as the case may be, in agreement with the Competent Authority, may grant the status of judicial officers to its employees to document what falls within their jurisdiction, in violation of the provisions of this Decree by Law, its Executive Regulation, and the executive resolutions issued accordingly.

Article (30)

Executive Regulation

The Cabinet, based upon the Minister's proposal, and after coordination with Local Authorities and relevant entities, shall issue the Executive Regulation of this Decree by Law within (6) six months from its date of publication in the Official Gazette.

Article (31)

Adjustment of Status

All those, subject to the provisions of this Decree by Law, shall adjust their status to comply with its provisions within a period not exceeding one year from its enforcement date; this period may be extended for similar periods by a Cabinet resolution based upon the Minister's proposal.

Article (32)

Publication and Enforcement

This Decree by Law shall be published in the Official Gazette and shall come into force (30) days from its date of publication.

Mohammad bin Zayed Al Nahyan

President of the United Arab Emirates

Issued by Us at the Presidential Palace, in Abu Dhabi,

On: 28/ Rabi' al-Awwal / 1446 A.H.

Corresponding: 01 / October / 2024 AD