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National
Media
Council



United Arab Emirates

Advertising Guide

National Media Council

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Introduction

Based on the regulatory role of the National Media Council (NMC) and its functions in monitoring the media and advertising content in the UAE, the Council has been keen to define the general principles, frameworks and standards governing advertising in the media, based on the laws and regulations issued in this respect. It pinpoints the nature of the advertisement, the laws and regulations it regulates, the advertisement content criteria and conditions, as well as the advertisements through social media, according to the electronic media system, the terms of license for carrying out advertising related activities and fees as well as anything else that is of concern to the customers.

The objective of the Council to produce the Guide is to develop a practical framework that is written in relation to the advertisements, in order to protect the public from any advertisements that do not comply with the applicable standards. It is also aimed at developing and regulating advertising activity as an effective industry that contributes to the advancement of economic development in the UAE.

| Advertisement Definition:

Any means intended to inform all people about a certain commodity or purpose, whether by presentation or publication in writing, drawing, image, symbol, sound or other means of expression.

| Advertiser Definition:

Any individual, organization or company that publishes advertisements on various media, whether tangible or intangible.

| Laws and decisions regulating Advertisements

1. Federal Law No. (15) of 1980 on printed matters and publishing.
2. Federal Decree-Law No. (2) of 2015 on combating discrimination and hatred.
3. Federal Law No. (3) of 2016 on the rights of the child "Wadima".
4. Federal Law No. (11) of 2016 on the organization and competences of the National Media Council.
5. The Cabinet Resolution No. (19) of 2017 on fees for media services.
6. The Cabinet Resolution No. (23) of 2017 on media content.

The Media included in the Guide

The provisions of this Guide shall apply to the advertising content of any media activity practiced within the UAE, including the media activities of the following persons and entities:

1. Printed, audio and visual media and organizations that print, publish, broadcast, circulate or distribute advertising content.
2. Institutions, companies and persons licensed to engage in advertising activities.
3. Any person who prints advertising content within the UAE.
4. Any person trading advertising content, including from the one that is imported from abroad.
5. Any person, company, institution or entity that publishes paid or for any financial consideration or otherwise on websites and social media.
6. Any other persons or entities that the Council deems appropriate to be added.

Advertising Content Standards

The media, persons and entities included in this Guide shall abide by the advertising content standards mentioned therein, and the following criteria in particular:

- 1 Refrain from offending God and Islamic beliefs, and show respect for other heavenly religions.
- 2 Show respect for the United Arab Emirates government and its emblems and political institutions.
- 3 Show respect for the cultural and cultural heritage of the State.
- 4 Avoid harming national unity and social cohesion, and provoking sectarian, doctrinal and tribal strife.
- 5 Show respect the UAE's systems and policies at the internal level and its relations with other countries.
- 6 Refrain from harming the economic system in the UAE and spreading rumors and misleading news.
- 7 Show respect for the UAE's policies to promote its national identity.
- 8 Avoid disseminating information that harms or abuses children and women, or any other social groups, or incites hatred and violence.
- 9 Avoid publishing images or words that could violate public morality.
- 10 Any advertising for witchcraft, sorcery and astrology shall not be allowed.

Advertising Content Standards

- 11 Respect the intellectual property rights
- 12 Comply with codes of conduct and standards of honesty, including compliance with the rules governing business, especially in regards to consumer protection and fair competition controls, prohibition of commercial fraud and illegal monopoly.
- 13 Advertising for alcoholic beverages or narcotics is not permitted in any form, whether directly or indirectly.
- 14 Tobacco advertising, smoking of all kinds and methods of using them, or any other services or products that are prohibited from advertising, shall not be permitted.
- 15 Comply with the rules of health advertisements contained in Cabinet Resolution No. 4 of 2007 and its amendments, on health advertisements.
- 16 Avoid publishing advertisements that contain false, malicious, and misleading information.
- 17 Respect the national identity of the UAE
- 18 Observe the conditions and terms concerning the use of the flag, emblem and national anthem of the UAE.
- 19 Obtain the prior approval of the concerned authorities for advertisements requiring prior approvals, such as those related to health, education, real estate, Hajj and Umrah campaigns and others.

Conditions for Advertisements

All print, audio and visual media organizations and others must abide by the following conditions in the advertisement:

- 1 The advertisement should not be vague, ambiguous or not clear.
- 2 The advertisement should not include or contain false or misleading claims, or is intended to exaggerate, claim exclusiveness, despise competitors and all that involve fraud and deception.
- 3 The advertisement should not include any false, fake or unrightfully formulated mark, sign or image
- 4 The advertisement should be real and unexaggerated, and must not create any confusion by any means with any other brand names, products or activities.
- 5 Obtain the prior approval of the competent authorities in regard to specialized advertisements, such as those related to medicine, medicine, energy drinks, promotions and special offers, as well as real estate, universities, educational institutions, nurseries, Hajj and Umrah promotion campaigns and the like.

Conditions for Advertisements

- 6 The media should not publish any advertisement that involves a crime or violates the principles and standards of the media content and the age rating applicable in this regard, or it may harm the public interest directly or indirectly.
- 7 The advertisement must be clearly identified, appear distinct and independent from other editorial and information materials, and set boundaries that separate advertising from any other material, and intervals in broadcast situations.
- 8 In the case of advertisements that contain, directly or indirectly, the promotion, advertising or endorsement of the person or the advertiser of a particular product or service, the advertiser must clearly disclose whether there is any financial gain in a business relationship with the person or the owner of the advertised product or service.

| Electronic Advertisements in Social Media

Any person who practices advertising activities on a commercial basis and for any financial or non-financial consideration through social media shall obtain a prior license from the Council provided that:

1. Advertisements that are circulated on social media should abide by the applicable criteria and conditions for advertisement standards and advertising terms.
2. The account holder is responsible for the content of his or her account.

| Special Conditions for Social Media

- The advertisement must be identified on social media clearly.
- The advertisement must appear distinctly and separately from media or written material or any other material.
- Clear Borders should be placed between the advertisement and other content and time intervals should be placed in the event of a broadcast, for example, on the ad article: "advertisement Material", "Advertisement" and other indicative terms.
- Disclosure must be made clearly in case there is any material or in-kind payment paid by the issuing authority for publications or articles published on social media, websites or blogs.

- A clear language should be used that leaves no ambiguity regarding the identity of the advertisement and being paid through:
 - Using hashtag “#ad” or “#paid_ad” phrase clearly that is not accompanied by many hash tags in such a way that they are hard to see.
 - The use of the words "thank you for ... the advertiser" or "in cooperation with ..." is not sufficient to disclose whether the advertisement is paid or not.
 - A clear and legible font should be used.
 - Avoid the very small font that is unreadable or that has a color that is similar to the background color as it is hard to read.
 - Disclosure should be put in a conspicuous place for readers.
 - In general, disclosure should be made at the beginning of the content or description.
 - Avoid placing disclosure in a place that requires users to move to another page or content (e.g., the disclosure may not be placed under a "Read More" link).
 - If the content is in the form of video, it must be stated verbally through the video (in addition to writing it in description of the video)
 - In case the advertisement is made by using stories or videos that are published on the account, the disclosure should be published in the picture, first or second or at the beginning of the broadcasting if any, which applies to all social media account.

| Advertising Activities on Social Media that are exempt from licensing (taking into account any requirements and licenses that may be required by other entities):

- 1-Charitable and voluntary activities that are provided for free
- 2-Advertising activities that are carried out on non-commercial basis, i.e., for free
- 3-Any other activities as deemed to be excluded by the Council

| Licensing Advertising Activities

A-Individuals

The UAE citizen applying for license to carry out any advertising related activities shall meet the requirements below:

- 1-The applicant should be of at least of 25 years old; however, an exception from such age requirement may be made by a decision from the Council, depending upon the nature of the business activity.
- 2-The applicant should be of good reputation and decent conduct.
- 3-The applicant should not be convicted any crime involving a breach of honor or public trust unless he has been already rehabilitated or pardon has been issued in his favor by the appropriate authorities.
- 4-The applicant should hold a suitable academic qualification as specified by the Council; depending upon the nature of the business activity.
- 6-The applicant should not have any license that has already been suspended or cancelled, or his company has been shut down or closed, or he has already been prevented from carrying out a certain media activity unless the related reasons for issuance of the decision or judgment have been remedied or removed as the case may be.
- 7-The applicant should not have any financial dues towards the Council.
- 8-The applicant shall abide by the instructions and regulations set for carrying out media activities.

B- Corporate Entities

The corporate person to be granted a license to carry out advertising activity shall meet the requirements below:

- 1-The company should not have any financial dues or obligations towards the Council.
- 2-The company should be established in accordance with the applicable legislations in the UAE, and there should not be any violations issued against them by regulatory authorities in the UAE.
- 3-The advertising activity should be part of the activities that are allowed as per their purposes.
- 4-Abide by the media activity practice rules and instructions.

C- GCC states citizens

The license for practicing advertising activities shall be granted to GCC countries provided that the following must be observed:

- 1-The applicant shall fulfill the conditions set for the concerned GCC country
- 2-The applicant shall sign an undertaking that he or she is not prohibited from practicing any media or advertising activity that is similar to the purpose for which the license is requested or applied for.

D- GCC Companies and Organizations

The license to carry out advertising activity for the companies that are established in accordance with applicable legislations in any place in the GCC countries as per the terms and conditions below:

1. The conditions of GCC nationals shall be met.
2. The company shall not have to pay any financial dues to the Council.
3. The company shall be established in accordance with the legislation in force in the GCC countries.
4. The center of its business should be in the UAE or has a branch therein.
5. The advertising activity should be among the activities allowed by its objectives.

| Conditions for requesting to carry out advertising activities

The request for obtaining a license to carry out advertising activities to the Council in accordance with the electronic forms prepared for this purpose, subject to the following:

1. Registration in the electronic system by entering the identity card data issued by the UAE for the person whose license is to be issued.
2. Fill out a new license issuance form.
3. Copy of the passport, the registration summary, the identity card of the citizen and two photocopies of the license applicant.
4. Passport, ID card and two personal photographs of GCC nationals and partners if the applicant is a company.
5. Copy of the applicant's academic qualification.
- 6-The trade name of the company, provided that it is not contrary to the provisions of the legislation and public order of the UAE and shall not be identical or similar to any other name that may cause confusion.
7. The place where the advertising activity is to be licensed should be determined.
8. The prescribed financial fees (as applicable in this regard) should be paid

Advertising Activities Fees

In accordance with the Cabinet resolution No. 19 of 2017 on the applicable fees for the advertising services, the advertising licensing fees have been determined as follows:

| Activity | Activity Description | Issuance Fees in AED | Issuance Fees in AED |
|---|---|----------------------|----------------------|
| Licensing of design, implementation and installation of billboard | Installation and design of commercial billboards, including licensing of all advertising activities, and those on the streets and exhibitions, advertisements on public buses and any other forms. | 10,000 | 5,000 |
| License to produce and design advertisement content | The activities of production and design of advertising types of print, video, audio and electronic. | 5,000 | 2,500 |
| License to produce programs, serials, radio advertisements and audio songs | The activities of the production of all forms of audio works, including serials, advertisements, audio songs and radio programs. | 10,000 | 6,000 |
| License to produce, film and produce serials, television commercials and visual songs | The activities of the production of all forms of visual works, including serials, advertisements, visual songs and radio programs. | 10,000 | 6,000 |
| Advertising Websites and Social Media Accounts | The activities of advertising on A websites or social media through which information of an advertising nature is traded, including websites that carry out advertising activities on a commercial basis. | 15,000 | 15,000 |
| Waiver of any media license | Waiver of the media license is valid in accordance with the approved procedures. | 200 | |

Advertising Content Violations

Firstly:

A fine of AED 5000 for failure to comply with advertising rules, according to the following regulations:

- The fine shall be paid within a period not exceeding five working days from the date of executing the violation or from the date of issuance of a decision to pay the same.
- In case of failure to pay the fine within five working days, a fine of AED 100 is charged for each day provided that the payable maximum shall be AED 5,000.
- The amount of the administrative fine shall be doubled when the same violation is repeated within one year from the date of committing the previous offense, provided that it shall not exceed (AED 20,000) Twenty Thousand UAE Dirham

Secondly:

The Council may delete any phrase, paragraph, page, image, scene or any part of the publication if it violates the principles or standards of advertising content.

Advertising Content Violations

Thirdly:

The Council may prohibit the circulation, printing or entry of the printed or visual or audio material to the UAE in case of violation in the following cases:

1. It is not possible to omit or delete according to “secondly” above.
2. The publication violates the principles and standards of advertising content.

Fourthly:

The Council may prohibit any publication or printed matter, visual or audio matter from printing, circulation or entry in to the UAE until their status is rectified in such a manner that could suit advertising media standards if the Council deems that the violation in rectifiable.