

Overview of the changes to the national media council

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September 2013

The NMC is undergoing a series of changes prompted by Cabinet Resolution No. 9 of 2013 and Cabinet Resolution No. 12 of 2013, both of which come into force on 30 July, 2013.

Resolution No. 9 of 2013 brings about reform to the internal organizational structure of the NMC. The Resolution hence has two functions: (i) it outlines and redefines the role of the NMC itself, and (ii) it outlines the roles and the powers of the NMC's key representatives. This Resolution revokes the previous Resolution No. 34 of 2011, which concerned the organizational structure of the NMC.

Most importantly, Article 3 sets out the new powers of the NMC, and is a definitive step in the gradual process of power delegation from the Ministry of Information and Culture to the NMC. The list of powers includes: the power to supervise all media affairs of the UAE (Article 3(2)); to receive newspaper correspondents and international news agencies and provide them with the required information and publications to acquaint the public on the position of the State in various fields (Article 3(3)); to grant media licences to media institutions in the UAE (Article 3(4)); and to follow up media content concerning all matters printed, published and broadcasted in the State and that which is taken from abroad.

Resolution No. 12 of 2013 introduces a fee structure for commercial-based media licenses and for obtaining permits to deal in media materials. The fee schedules resemble the ones provided by the previous law, Cabinet Resolution No. 14 of 1999 which has now been revoked by virtue of this new Resolution. However, Resolution No. 12 of 2013 tackles a more comprehensive and specific list of media materials and services for which licenses are payable. Resolution No. 12 of 2013 lists 49 services which require licences and 13 media materials which require permits. Some notable categories include the newly introduced permit for those practicing as foreign correspondents in the UAE, fees payable for the sale of media materials such as pictures, and licenses for cafés providing internet services to the public.

We consider that there is some ambiguity to the scope and application of the licensing fees. While categories under the license provision do not distinguish between media and non-media institutions, in our view, it would be prudent for all organizations which trade or otherwise deal with media materials or services to take note of these licensing categories. Failure to comply and obtain a relevant permit and/or license can attract penalties up to the amount payable for the license, depending on the breach.