

National media council confirms media free zone companies subject to content regulation

Omar Obeidat - Partner, Head of Competition and Intellectual Property - Intellectual Property / Competition

o.obeidat@tamimi.com - Dubai International Financial Centre

The Printing and Publications Law was primarily aimed to address printing and publishing activities and is broad enough to cover all forms of expressions including television broadcasting. This law included 16 articles that detail prohibited matters that may not be published. The prohibited matters are either of religious topics, politics related, national security related or deal with individual rights and public morals.

At the time of introducing the Printing and Publications Law, persons subject to these media regulations and prohibitions were onshore entities with the growth of free zones in the UAE and creation of media free zones which resulted in remarkable growth of a media industry inside these special free zones. While there is no specific broadcasting law applicable across the UAE, there has been a guidance released by the Dubai Technology and Media Free Zone that introduce awareness and privacy principles and provide a code of standards.

The National Media Council which oversees implementation of the Printing and Publications Law issued a decree at the end of 2010 bearing No. 20 for the year the 2010 regulating media content. The most interesting evolution of this media content decree was holding all media companies whether audio, audiovisual and print in the UAE subject to this regulation and subject to the Printing and Publications Law whether those media entities are based onshore or in the free zones. This provision removed any vagueness to the applicability of Printing and Publications Law to media broadcasters licenses in the free zones. The National Council decree listed a number of mandatory content regulations that apply to all media entities giving special emphasis to national unity and respecting the culture of the UAE and respecting the political views of the UAE Government as well as its political symbols and safeguarding the UAE economic system from any misleading new reports.

The regulation allows the National Media Council to take any measures to remedy any violation to the content regulations which range from a notice up to cancellation of the license to carry out media activities in the UAE. While this decree serves as an instrument to affirm applicability of the Printing and Publications Law to free zones and also incorporates further content prohibitions as experiences have dictated additional prohibitions to those listed in the Printing and Publications Law. Despite that however, the content regulation can elaborated much more further to address use of foul or violent language, appropriateness of programs to age groups and timings for broadcasting, further detailing on privacy and data protection of individuals and finally regulating content of advertisements broadcasted by the media. These are among other topics that can be subject of a stand alone broadcasting content legislation or as incorporated in a new broader Media Law.