

# What's the bet that gambling is prohibited in the UAE?

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It is important to understand that Islam is the official religion of the country, pursuant to the Constitution of the UAE. Gambling is prohibited in Islam, and this forms the basis for the federal and local emirate laws that prohibit all forms of gambling, as well as the advertising of any form of gaming.

In many jurisdictions, the legality of gambling and gambling-related advertisements is contentious and continues to be topical. However, these issues, more often than not, tend to be focused on concerns with children or minors' exposure to gambling culture, as well as protecting vulnerable people, as opposed to having a religious element driving the need for regulation.

The UAE regime is relatively straight-forward: subject to the exceptions we set out below, gambling and any gambling-related advertising in any way, shape or form is prohibited. Our view is that this includes offering online gambling services to UAE residents from offshore.

## Exceptions

Despite the blanket prohibition on gambling, it is permissible to run competitions (including raffles) in the UAE, subject to prior permission from the relevant regulatory department.

Additionally, the UAE Civil Code permits wagers in specific circumstances – namely in respect of racing, shooting, sports and trials of strength. A number of requirements must be met: there must be certainty of the prize, certainty of the person who must give the prize, and certainty of the subject matter and scope of the competition.

However, it is not as simple as trying to work within the requirements set out in the Civil Code. A prize in a contract for betting can only be paid to the winner – being the party to the contract who wins the contest through his own efforts and skill. The implication is that any arrangement that may lead to the prize being paid to a third party (i.e. someone who is not a participant in the race/contest, etc.) would be outside the scope of what is permitted – and thus illegal 'gambling' and subject to the criminal provisions that prohibit gambling and which we set out below.

## UAE Gambling Laws

A range of local laws set out the prohibitions on gambling and gambling-related advertising. Some of these laws expressly set out the prohibition, while others deal with it indirectly. By this, we mean that given the religious element underpinning the law of the UAE, there are a number of other prohibitions on acts which are contrary to public morality, or which are contrary to Islamic beliefs. It is important to note that these laws not only apply to those in the UAE, but may also have extra-territorial application, depending on the circumstance.

1. The Penal Code defines gambling as “a game whereby each of the parties thereto agrees – in case he is the loser – to pay the winner a certain sum of money or any other thing agreed upon”. It makes gambling an offence punishable by imprisonment and/or a fine. It also prohibits the opening or

managing of a venue for gambling, or organizing a game of chance in a public place or in a venue for gambling.

2. The [Cyber Crimes Law sets out a penalty](#) of imprisonment and/or a fine for anyone caught establishing, managing or running a website, or transmitting, sending, publishing or re-publishing through a computer network gambling activities and whatever may afflict public morals. It also prohibits producing, creating, preparing, sending or saving for exploitation, distribution or display to others through a computer network, gambling activities and whatever may afflict public morals.
3. There are also media regulations which require media corporations and outlets to comply with the various standards in relation to advertisements which are broadcasted or published through such corporations. The standards relevant to gambling-related advertisements are:
  - Not to offend God and Islamic beliefs and to respect other divine religions.
  - Not to publish any pictures or words that may breach public morals.
  - Not to spread and disseminate information which may prejudice children and women and any other social categories and provoke violence and hatred.
1. 4. The Telecommunications Regulatory Authority implements an “Internet Access Management” policy. This policy requires internet service providers to block access to websites providing illegal content or content that is inconsistent with the moral or public norms of the UAE. As a result, access to gambling related content is generally blocked from viewing on the internet in the UAE.