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**Council for Trade-Related Aspects of  
Intellectual Property Rights**

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**MAIN DEDICATED INTELLECTUAL PROPERTY  
LAWS AND REGULATIONS NOTIFIED UNDER  
ARTICLE 63.2 OF THE AGREEMENT**

UNITED ARAB EMIRATES

The present document reproduces the text<sup>1</sup> of Federal Law No. (7) of the year 2002 concerning copyrights and neighboring rights, as notified by the United Arab Emirates under Article 63.2 of the Agreement (see document IP/N/1/ARE/2).

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**Conseil des aspects des droits de propriété  
intellectuelle qui touchent au commerce**

**PRINCIPALES LOIS ET RÉGLEMENTATIONS CONSACRÉES À LA  
PROPRIÉTÉ INTELLECTUELLE NOTIFIÉES AU TITRE  
DE L'ARTICLE 63:2 DE L'ACCORD**

ÉMIRATS ARABES UNIS

Le présent document contient le texte<sup>1</sup> de la Loi fédérale n° 7 de 2002 sur le droit d'auteur et les droits voisins, notifiée par les Émirats arabes unis au titre de l'article 63:2 de l'Accord (voir le document IP/N/1/ARE/2).

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**Consejo de los Aspectos de los Derechos de Propiedad  
Intellectual relacionados con el Comercio**

**PRINCIPALES LEYES Y REGLAMENTOS DEDICADOS A LA  
PROPIEDAD INTELLECTUAL NOTIFICADOS EN VIRTUD  
DEL PÁRRAFO 2 DEL ARTÍCULO 63 DEL ACUERDO**

EMIRATOS ÁRABES UNIDOS

En el presente documento se reproduce el texto<sup>1</sup> de la Ley Federal N° 7 de 2002 sobre derecho de autor y derechos conexos, notificada por los Emiratos Árabes Unidos en virtud del párrafo 2 del artículo 63 del Acuerdo (véase documento IP/N/1/ARE/2).

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<sup>1</sup> In English only./En anglais seulement./En inglés solamente.

**United Arab Emirates  
Ministry of information and Culture**

**Federal Law No. (7) of the year 2002  
concerning copyrights and neighboring rights.**

We, Zayed Bin Sultan Al Nahyan, the President of the United Arab Emirates,

After reviewing the constitution;

And the Federal Law no. (1) of the year 1972 regarding the Ministries jurisdictions and the powers of the Ministers; and the laws amending it;

And the Federal Law no. (15) of the year 1980, regarding the printed matters and publication;

And the Federal Law no. (40) of the year 1992, regarding the protection of the Intellectual Works and the Copyright;

And pursuant to what has been submitted by the Minister of Information and Culture;  
And the consent of the Council of Ministers;

And the approval of the Supreme Council of the Union;

Have issued the following law:

**Definitions**

**Article (1)**

In applying the provisions of this law the following words denote the definitions explained before each one of them, unless the context denotes otherwise:

<b>“The State”</b>	The State of the United Arab Emirates.
<b>“The Ministry”</b>	The Ministry of Information and Culture.
<b>“The Minister”</b>	The Minister of Information and Culture.
<b>“The Work”</b>	Any created compilation, in the scope of letters, arts, sciences, whatsoever is its type, mode of expression, value or purpose.
<b>“The Author”</b>	The person who creates the work, and the person who has his name mentioned on the work, or has the work attributed to him as its author at the time of publication, unless proved otherwise.

Whoever publishes the work anonymously or pseudonymously is considered to be the author, provided that no doubt to identify the real author arises. In case that such doubt arises the publisher or the producer of the work, whether natural or legal person, will be presumed the author's representative, to practice the author's rights until the character of the author is identified.

**“Creation”**

The creativeness that gives genuineness and distinctiveness to the work.

**“ The holder of the neighbouring rights”**

The performers, producers of phonograms and broadcasting organizations, who are defined in this law.

**“The Performers”**

The actors, singers, musicians, dancers and other persons who recite, chant, play or perform by any way literary or artistic works or others protected according to the provisions of this law or inclusive within the public property.

**“ The Producer of Phonogram”**

The natural or legal person who records for the first time sounds of a performer or other sounds.

**“ Broadcasting Organization”**

Any authority practices sound, visual or audio-visual and wireless broadcasting transmission.

**“Broadcasting”**

Sound, visual or audio-visual wireless transmittal of work, performance, phonogram, programme and its recording, to the public. Transmittal via satellite and orbit is considered the same.

**“ Publication”**

Availability of the work, the phonogram, the broadcasting programme or any performance to the public, irrespective of the used mode.

**“Public Performance”**

The performance that links the public directly with the work such as acting of dramatic works, reciting or performing the artistic works, exhibition of audio-visual works, playing musical works, reciting literary works whether live or recorded.

**“Public Communication”**

Wire or wireless transmission of a work, sound recording performance, broadcasting programme, that can be received through transmission only by others who are not family members or intimate friends, in any place other than the place from which the transmission is made, irrespective of the place, the time of receiving and the medium.

**“Reproduction”**

To make a copy or more of a work, phonogram, broadcasting programme or any performance in any shape including

permanent or temporary electronic storing, irrespective of the mode used in reproduction.

**“Phonogram”**

Any fixation of certain performed sounds addressing the hearing irrespective of the mode of fixation or the used device. The phonogram also includes sounds fixation with picture in order to prepare audiovisual work unless agreed otherwise.

**“Producer of audio-visual work”**

The natural or legal person who provides the necessary facilities to accomplish the audio-visual work, and assumes the responsibility of such accomplishment.

**“Collective Work”**

The work compiled by a group of authors under the direction of a natural or legal person who pledges to publish it in his name and under his own supervision. The contribution of authors will be assimilated into the public goal aimed by such a person in such a way that separation and distinction of each author’s contribution becomes impossible.

**“Joint Work”**

It is the work compiled by a number of persons whether the lot of each one can be separated or not and which cannot be listed under the collective works.

**“Derived Work”**

The work that derives its origin from a previously existing work such as translations. The literary, artistic and folkloric expressions as long as they are innovated in a way of selecting and arranging their contents.

**“National Folklore”**

Every expression of people heritage either oral, musical, dynamic, or tangible in distinct elements reflects the artistic traditional inheritance, developed or survived in the State and which cannot be attributed to an author.

**“Public Property”**

Are all the works initially excluded from the protection or have the period of protection of their economic rights expired.

## **Section One**

### **Scope of Protection**

#### **Article 2**

Authors of the works and the holders of the neighboring rights, shall enjoy the protection of this law in case that an aggression against their rights occurs in the State, namely in the following works:

1. Books, pamphlets, essays and other written works.
2. Computer programmes and applications, databases and works analogous to them as defined by a Minister's decision.
3. Lectures, addresses, sermons and other works of similar nature.
4. Dramatic, dramatico-musical works and dumb shows.
5. Music compositions with or without words.
6. Sound and audiovisual works.
7. Architecture works, engineering plans and layouts.
8. Works of drawing, painting, sculpture and lithography (fabric, metal, stones, wood) and engrave or an similar works in the scope of fine arts.
9. Photographic works and works analogous to photography.
10. Works of applied and plastic art.
11. Illustrations, geographical maps, sketches, three-dimensional works relative to geography, topography and architecture designs etc.
12. Derived works without prejudice to the protection stipulated for the works been derived from. The protection includes the title of the work if innovated and the innovated theme written for a broadcasting programme.

#### **Article 3**

Protection does not extend to mere ideas, procedures, methods of work, mathematical understandings, principles, and abstract facts, but extend to creative expression in any of them.

Protection does not extend also to the following:

- (1) The official documents, whatever is their original language or the language translated to them, such as the texts of laws, regulations, decisions, international agreements, judgments, arbitrators' awards and the decisions of the administrative committees having judicial competence.
- (2) The news, events and the current facts, which constitute merely media news.
- (3) The works transferred to public property.  
Nevertheless, the items in paragraph 1, 2 and 3 of this article if their compilation or arrangement or any effort thereof is characterized by creative manner shall enjoy protection..

#### **Article 4**

The Ministry constitutes a system for depositing or registering the rights of the works or any actions that may arise at a specific authority therein, according to the stipulations of the implementing regulation of this law.

The registers of deposit or registration of rights in the Ministry are considered as reference to the details of the work.

Non-deposit of the work or non-registration of its rights or any action allotted to it does not prejudice any of the protection aspects or the rights decided by this law.

## **Section 2**

### **The Rights of the Author**

#### **Article 5**

The author and his successors in title enjoy literary rights not subject to prescription or assignment of the work; these rights include the following:

1. The right to determine first publication of the work.
2. The right of writing the work in his name.
3. The right to protest against alteration of the work if the alteration leads to distortion, mutation or causing derogation to the author.
4. The right to withdraw his work from circulation in case of serious reasons justifying such an act. He may practice this right through the competent court, provided that he pays a fair compensation to the one who gained the rights of economic exploitation in the time specified by the court and before the execution of the judgment of withdrawal, otherwise the judgment will have no effect.

#### **Article 6**

Alteration in the field of translation is not considered to be violation unless the translator ignored to refer to the areas of deletion, modification, or offended by his action the status of the author.

#### **Article 7**

Only the author and his successors or the holder of the right of the author can grant license for exploitation of the work by any means, particularly for copying including electronic loading or storing, acting a play by any means, broadcasting, re-broadcasting transmission, performance, public communication, translation, modification, alteration, rental, lending or publication by any means including provision of publication through computers or information nets or communication nets or other means.

#### **Article 8**

Rental right of the computer programmes does not apply unless the programme itself is the original object of rent. It does not also apply to audiovisual works unless it affects its regular exploitation.

#### **Article 9**

The author or his successors, can transfer to a natural or legal third party, all or part of his economic rights stipulated in this law provided that such action be in writing specifying the object of the right to be exploited along with the purpose, the duration and place of exploitation. The author is the owner of all the rights except what he disposes openly.

Without violation of the literary rights of the author stipulated in this law, the author cannot perform any act that can impair the exploitation of the disposed right.

#### **Article 10**

The author or his successors can charge cash or in rem in consideration of transferring one or more rights of economic exploitation of the work to a third party on rational contribution base in the revenue resulting from exploitation. He can also enter in contract against a random amount or to deal in both ways.

#### **Article 11**

In the event that such agreement as in article 10 of this law, turned to be unfair towards the author's right or to any of the holders of the neighboring rights, or became so due to unpredictable circumstances occurred after entering in contract, the author, his successors or successors may resort to competent court to review the consideration agreed upon.

#### **Article 12**

Without prejudice to article (9) herein, the transfer of economic rights in respect of computer program works or the databases depend on the contact license mentioned or stuck to the programs whether appeared on the phonogram or either loaded or stored to be seen on the computer screen. The one who purchases or uses the program will undertake to follow the conditions in the license.

#### **Article 13**

The free action of the author in the original manuscript of his work does not transfer any of its economic rights, unless agreed otherwise.

Nevertheless, it is not possible without prior agreement to bind the transferee to enable the author to copy, transfer, or exhibit this transferred copy.

#### **Article 14**

It is possible to seize the economic rights of the published works of the authors and is not possible to seize the works in the event of the death of their owner before publication unless it is decisively proved that he meant to publish them before his death.

#### **Article 15**

Any action of the author in his all prospective intellectual works or in more than five such works is absolutely invalid.

### **Section Three**

#### **The domain of protection of the owners of the neighboring rights**

#### **Article 16**

The performers and their general successors enjoy a literary right, which is not assignable, prescribeable, but authorize them the following:

- (i) The right of having the performance in their names whether live or recorded.
- (ii) The right to suspend any distortion, mutilation, modification or derogation action, which would be prejudicial to their status.

The Ministry after the expiry of the economic rights stipulated in this law shall exercise such literary rights in order to preserve their performance in the shape of its creation.

#### **Article 17**

The performers only shall enjoy the following economic rights:

1. The right to transmit their unfixed performance and communicating it to the public.
2. The right to fix their performance on a phonogram.
3. The right to reproduce their fixed performance on a phonogram.

Fixation of such live performance on a phonogram for direct or indirect, commercial revenue, rental, transmission or availability to the public on any medium by others without authorization of the right holder is a prohibited exploitation.

The provision of this article applies to fixation of performances in audiovisual work, by their performers unless agreed otherwise.

#### **Article 18**

The producers of phonograms shall only enjoy the following economic rights:

1. The right to prohibit any exploitation of their phonograms by any means without their authorization. Copying, rental, broadcasting, re-broadcasting, availability to the public via computer or other media is an exploitation prohibited to be used by third parties.
2. The right to disseminate their recordings via wire, wireless, computer or other means.

#### **Article 19**

The broadcasting organizations shall only enjoy the following economic rights:

1. The right to grant licenses for exploitation of their recordings and broadcasting programmes.
2. The right to prohibit any communication of their programmes or recordings to the public without their authorization. Recording of such programmes, copying or re-copying their recordings, rental, re-broadcasting, and communication to the public by any means are prohibited to the third parties in particular.



## **Section Four**

### **The Term of Protection and the license to use the works.**

#### **Article 20**

1. The economic rights of the author stipulated in this law shall be protected through his lifetime and fifty years beginning from the first day of the calendar year following the death.
2. The economic rights of the joint authors shall be protected through their lifetime and fifty years beginning from the first day of the calendar year following the death of the last surviving author.
3. The economic rights of the authors of collective works except the authors of applied arts shall be protected for a period of fifty years beginning from the first day of the next calendar year of the first publication in case that the author is a legal person but in case that the author is a natural person, the period will be calculated according to the rule stipulated in (1) and (2) of this article.  
The economic rights of the works published for the first time after the death of their author expire after fifty years starting the first day of the next calendar year of its first publications.
4. The economic rights of the works published anonymously or pseudonymously shall be protected for fifty years from the first day of the next calendar year of the first publication if the author is specified and known, or has disclosed his identity, the period of protection will be calculated according to the rule stipulated in paragraph 1 of this article.
5. The economic rights of the authors of the applied art works shall expire after twenty five years of its first publication, starting the first day of the next calendar year.
6. In the events the term of protection is calculated from the date of first publication, the date of the first publication will be the beginning for calculating the term irrespective of the re-publication unless the author has entered in his work after revision essential changes that make it look as new work. If the work was composed of many parts or volumes published separately in many terms each part or volume shall be considered independent work at the time of calculating the term of protection.
7. The economic rights of the performers shall be protected for a period of fifty years to be calculated from the beginning of the next calendar year in which the performance was accomplished, if the performance was fixed in a phonogram the period would be calculated from the end of the year in which the fixation was made.
8. The economic rights of the producers of phonograms shall be protected for fifty calendar years calculated from the beginning of the next year in which the publication of the phonogram was done or the year in which the phonogram was fixed if it was not published.
9. The rights of the broadcasting organizations shall be protected for twenty years calculated from the beginning of the next calendar year to the year in which the first transmission of these programs was made.

#### **Article 21**

Any person may ask the ministry to grant him a compulsory license for either copying or translation or for both of any work protected by the provisions of this law only after three years from the date of the work publication in case of translation license. The license shall be issued supported with reasons determining the time and place of exploitation, and the fair reward due to the author provided that the purpose of such grant of license always be exclusive to meet the needs of education in all its types,

levels and to the needs of public libraries and archives in accordance with the specifications , conditions, and restrictions of the implementing regulations and this law for granting this license in a way to secure non-occurrence of unjustifiable damage to the legitimate interests of the author or his successors in title or effect ordinary exploitation of the work. The council of ministers shall issue a decision specifying the fees to be charged in this regard.

## Article 22

Without prejudice to literary rights of the author stipulated in this law, the author after the publication of his work must not prohibit a third person to perform one of the following acts:

1. To make a sole copy from the work for the merely personal and non-commercial or professional but personal use of the copier. The works of the fine and applied arts are excepted unless were located in public place by consent of the right holder or his successor, the works of architecture are also excepted as in para (7) of this article and also the computer programs and their application unless as indicated in para (2) of this article.
2. Making a sole copy of a computer programme with acknowledgement of its legitimate acquirer who has a unit to derive its application or database from, provided that such act occurs in the limits of the licensed purpose or the purpose to retain or substitute at the time of losing the original, been damaged or became invalid to use.  
The reserve or derived copy must be destroyed even if it was stored in a computer as soon as the right of acquisition of the original copy is no more valid.
3. Copying protected works to use them in judicial procedures or analogous to them within the limits required by such procedures provided that the source and the author name be mentioned.
4. Taking a sole copy of the work with acknowledgement of records house or archives, libraries, or documentation centers who do not seek direct or indirect profit all in the following two cases:
  - a. Copying must be for the purpose of preservation of the original, or to exchange it for a lost, destroyed unsuitable to use or not possible to obtain a substitute copy for it, against reasonable conditions.
  - b. The purpose for copying must be in reply to application by a natural person to use it for research or study provided that it must be granted for one time or for interrupted periods of time provided that obtaining a license became impossible in accordance with the provisions of this law.
5. Quotation of short paragraphs, derivation or reasonable analysis of the work for the purpose of criticism, discussion, or information provided mentioning the source and the author's name.
6. Performing the work in family meetings or by students in an educational institute against no direct or indirect remuneration.
7. Presenting the fine arts, applied and plastic arts works or architectural works in broadcasting programmes, if such works are permanently present in public places.
8. Reproduction of written, sound or audio-visual short excerpts for cultural, religious, educational or vocational training purposes, provided that copying be in the reasonable limits of its purpose and that the name of the author and the title of the

work be mentioned wherever is possible and that the copying authority does not aim at direct or indirect profit and that license for copying was unobtainable in accordance with the provisions of this law.

### **Article 23**

Without prejudice to the literary rights of the author in accordance with this law, the author must not prohibit copying made by newspapers, periodicals, broadcasting organizations within the limits justified by the aimed purpose in order to publish any of the following:

1. Excerpts of his available works to the public in a legal manner, this applies also on communicating excerpts from audio or visual works during on-going events, broadcasting or communicating them to the public by any other medium.
2. The published essays relating to discussion of issue preoccupying the public opinion in certain time, as long as no notification of prohibition was served at the time of publication.

In all cases stipulated in paras (1) and (2) of this article reference to the source and the author's name must be mentioned.

3. Addresses, lectures, speeches recited in open sessions of parliamentary or judicial councils and public meetings as long as such lectures and speeches are addressed to the public and copied within the limits of copying the current news.

Only the author or his successors in title have the right to collect any of these works in volumes under his name.

### **Article 24**

The restrictions on the economic rights of the author, stipulated in this law, shall apply to the holders of neighboring rights.

## **Section Five**

### **Special Provisions on some works**

### **Article 25**

In case that a number of people participate in making a work in a way that the share of each one cannot be separated from the other shares, all the parties shall be considered equally authors, unless they have agreed in writing otherwise. In this case none of them is allowed to practise the rights of the author alone unless there was a written agreement among them. In case the contribution of all the authors is listed under a different type of art in the same work each one of them has the right to exploit the part of his own contribution provided that this would not damage the exploitation of the work by the others unless they agree in writing otherwise.

Each one of them has the right to file a claim when a violation of any of the author's right protected by this law occurs.

In case of death of any of the contributing authors who has no general successors in title, his share goes to the remaining partners or their successors after them unless agreed in writing otherwise.

### **Article 26**

The natural or legal person who has directed creation of the collective work can practise alone the author's economic and literary rights in it unless there is an agreement otherwise.

### **Article 27**

I. A joint author in the audio-visual, audio or visual work can be:

1. The scenarist
2. The one who modifies a literary existing work to an appropriate audio-visual method.
3. The dialogist
4. Music composer if he composes it specifically for the work.
5. The director if he practises actual supervision to accomplish the work.

In case that the work is derived or extracted from a previous work the author of such work will be a partner in the new work.

II. The author of the literary part or the musical part has the right to publish his part in another way than the way in which the joint work was published, unless agreed otherwise in writing.

III In case that one of the contributors of the authors to audio or audio-visual work has desisted from completion of his part, the remaining partners shall not be prohibited from exploiting the part he implemented without prejudice to the rights of the desistor resulted from his participation in the authorship.

IV. The producer during the whole period of exploitation of the audio or the audio visual work agreed upon, will be acting for the authors of this work and their successors to negotiate for its exploitation, without prejudice to the rights of the authors of the literary, or musical derived or modified works, unless agreed otherwise in writing.

The producer will be considered a publisher of such work having the rights of the publisher in it and in its reproduction in the limits of the economic exploitation purpose.

### **Article 28**

The publisher of the work that does not bear an author's name or is pseudonymous will be presumed acting for the author to practice the rights stipulated in this law unless the author nominates other agent or reveal his character and leaves no doubt as to his identity.

### **Article 29**

Buildings may not be seized, destroyed changed in shape or confiscated in order to preserve the author's architectural right whose designs, drawings or engineering plans have been used illegally; and he must not be deprived of a fair compensation.

## **Section Six**

### **The Collective Administration Of The Copyright and The Neighboring Rights**

#### **Article 30**

The holders of the copyright and the neighboring rights may assign their economic rights to specialized professional societies to administer them, or authorize other bodies to practice these rights.

The contracts concluded in this regard by such societies or bodies shall be considered civil contracts.

#### **Article 31**

The societies or the bodies stipulated in article (30) of this law undertake to make no preference among the applicants who wish to enter in contracts with them to exploit the works being under their administration. Granting financial discount on license of exploitation by the society or the body shall not be considered as preference in the following two cases, provided that its decision be supported by reasons:

- I. Exploitation of the works in public live presentation by the performers.
- II. Exploitation of the works for educational or cultural activities against no direct or indirect profits.

#### **Article 32**

The societies or the bodies who shall administer the rights of the author and the neighboring rights must not practise any activities before having annually a license from the Ministry, who may include any rules in the implementing regulation to arrange the functions of such societies and bodies and may enter any necessary amendment to the rules, systems, fees of licensing and their practices of work.

The Council of Ministers shall issue a decision on the fees for granting license.

#### **Article 33**

The societies and other bodies administering the copyrights and the neighboring rights undertake to hold registers including the names of their members, their positions and the jobs they contracted indicating the type of job, duration and the agreed amounts of money. They must inform the Ministry the same whenever there is a change in these registers. These societies and bodies must abide by the administrative decisions of the Ministry. The Ministry may withdraw the license in the event that these societies or bodies do not comply with the provisions of the law or implementing the administrative decisions.

## **Section Seven**

### **Precautionary Procedures and Penalties**

#### **Article 34**

The chairman of the lower court in reply to the author or his successor may order on the petition the following for any work published or exhibited without written authorization from the author or his successors.

1. Preparing a detailed description of the work.

2. Suspension of publication, exhibition or reproduction of the work.
3. Imposing seizure on the original work and reproducing it (whether book, pictures, drawing, performance, photograph, phonogram, broadcasting program or otherwise) and on the materials to be used in republishing this work or reproducing copies of it provided that such materials are only good for republishing this work.
4. Proving public performance of rytheme, acting or communicating a work orally in public and prohibiting continuation of show then and in future
5. Calculating the income resulted from publication or exhibition by an expert, to be appointed if necessary in addition to imposing seizure on this revenue in all cases.
6. Recording the violation against the protected rights according to the provisions of this law.

The chairman of the first instance court in all cases may order appointment of an expert to assist the bailiff and to impose a reasonable bond to be deposited by the applicant.

The applicant must submit the dispute to the competent court within the following fifteen days after the delivery of judgment. If he fails to do so it will seize to be effective.

#### **Article 35**

The one had the order issued against him may submit a complaint to the chairman of the court who issued it during the next twenty working days from the date of issuance. The chairman of the court, in this case can uphold the order, cancel it partially or totally, or nominate a guard to re-publish, exploit, exhibit, manufacture or copy the disputed work and deposit the income resulting from it in the court's treasury until the original dispute is judged.

#### **Article 36**

The customs authorities may in response to an application by the author, the holder of the right or their successors order by a decision supported with reasons, suspension of customs release for a maximum period of twenty days of any forged items contradicting the provisions of this law. The implementing regulation specifies the conditions, restrictions and procedures of non release application, along with the documents to be enclosed and the financial value of bond the applicant must deposit, to confirm seriousness of the application. The application must be decided within three working days from the day of its proper presentation, the applicant should be notified with the decision as soon as it was issued.

The customs authorities in all cases must not prohibit the concerned ones to view the items decided not to be released by the customs in accordance with the restrictions defined by the implementing regulation.

#### **Article 37**

Without prejudice to any severer punishment in any other law, anyone who commits without a written permission from the author or the holder of the neighboring right or their successors any of the following acts will be punished by imprisonment for a period not less than two months and payment of fine not less than ten thousand dirhams, not exceeding fifty thousand dirhams or by one of the two penalties:

1. Infringement of any of the literary or economic rights of the author or the holder of the neighboring right stipulated in this law, including making any work, performance, phonogram, broadcasting program of stipulated protection in this law, available to the public through the computer, internets, information or communications nets or other means.
2. Sale, rental, or putting in circulation by any way whatsoever a work, phonogram, broadcasting program protected in accordance with the provisions of this law. The penalty stipulated in this article be doubled according to the number of the infringed works, performances, programs, or the recordings. In case of re-committing the crime the penalty will be imprisonment for a period not less than six months and payment of fine not less than fifty thousands dirhams.

### **Article 38**

Without prejudice to any severer punishment in any other law, anyone who commits any of the following acts will be punished with imprisonment for a period not less than three months and payment of fine not less than fifty thousand dirhams, and not exceeding five hundreds thousand dirhams:

1. Manufacturing or importation without having a right, for the purpose of sale or rental of any equipments, instruments or apparatus designed or prepared for the purpose of fraud against any technology used by the author or the holder of the neighboring right to arrange or administer such rights or for preservation of specific standard of quality of the copies.
2. Delaying or disgracing, without having a right, any technological protection or electronic information meant to arrange and administer the rights stipulated in this law.
3. Loading or storing any copy of the programs, applications, or databases in the computer before having a license from the author, the right holder of their successor.

In the event of committing the crime once again the penalty will be imprisonment for a period not less than nine months and a fine not less than two hundred thousand dirhams.

### **Article 39**

Excepted from the provision of Article 37 of this law, any person using computer programs or its application without a prior permission from the author or his successors will be punished by payment of fine not less than ten thousand dirhams but not exceeding thirty thousand dirhams against each program, application or database.

In the event of committing the crime once again, the penalty will be not less than thirty thousand dirhams.

The court may order a close up for a period not exceeding three months if the crime is committed in the name of or to the account of a legal person, commercial or professional company.

### **Article 40**

Without prejudice to the penalties stipulated in articles 37, 38 and 39 of this law the court orders confiscation of the forged copies or the ones derived from them and destroying them, and order

confiscation of the equipments and the instruments used in committing the crime which can only be used in this purpose and close up the company where the forgery crime was committed for not more than six months.

The summary of the judgement of incrimination will be published in a daily newspaper or more on the account of the judged person.

#### **Article 41**

Without prejudice to the penalties stipulated in this law anyone who violates the provisions of the regulations or the orders issued according to this law will be punished by imprisonment not exceeding six months and with payment of fine or by one of the two penalties.

### **Section Eight**

#### **General and Final Provisions**

#### **Article 42**

The Ministry in case of non existing inherent or legatee will exercise the literary rights stipulated in this law for the sake of preservation of the work in the form of creation after the expiration of the period of the protection of the economic rights stipulated for the work.

#### **Article 43**

Anyone who takes a photo for someone else by anyway whatsoever, has no right to exhibit, publish or distribute the original or its copies without a written permission from the one been photographed unless otherwise agreed, unless the publication of the photo took place in open accidents or was related to renowned public or official figures or that the publication was permitted by public authority in favour of public interest provided that the exhibition of the photo or circulating it will not affect the status of the photographed person.

The person in the photo may permit publishing it in newspapers or other publication media, even if the photographer did not permit, unless agreed otherwise.

#### **Article 44**

In the domain of conflict of laws the provisions of this law shall apply on the works, performances, phonograms, broadcasting programs related to foreigners on conditions of reciprocity, and without prejudice to the provisions of the international agreements applied in the State.

#### **Article 45**

The Minister of Justice, Islamic Affairs and Waqfs in collaboration with the Minister of Information and Culture issues a decision specifying the staff who shall have judicial powers to execute this law.

#### **Article 46**

The Council of Ministers shall issue a decision on the fees to be charged on the procedures determined by the provisions of this law.



**Article 47**

The Minister shall issue the necessary regulations and decisions for implementing this law.

**Article 48**

The Federal Law No 40 of the year 1992 and any other provision contrary to the provisions of this law, are hereby cancelled.

**Article 49**

The applied regulations and decisions shall be valid as long as they do not contradict with the provisions of this law until the new regulations and the implementing decisions are issued, and entered into force.

**Article 50**

This law will be published in the Official Gazette and enter into force on the date of its publication.

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**Zayed Bin Sultan Al Nahyan**  
THE PRESIDENT OF THE

**United Arab Emirates**

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