

Cabinet Resolution No. (7) of 2007

Concerning the Health Advertisement Regulations

The Cabinet,

- Having reviewed the Constitution; and
- Federal Law No. (1) of 1972, Concerning the Competences Ministries and Capacities of Ministers, and its amendments thereof; and
- Federal Law No. (7) of 1975, Concerning the Practice of the Human Medicine Profession, and its amendments thereof; and
- Federal Law No. (5) of 1980, Concerning Press and Publication; and
- Federal Law No. (4) of 1983, Concerning the Practice of the Pharmacy Profession and Pharmaceutical Institutions; and
- Federal Law No. (5) of 1984, Concerning the Practice of certain Medical Professions by Non-Physicians; and
- Federal Law No. (2) of 1996, Concerning Private Health Facilities; and
- Cabinet Resolution No. (26/5) of 2007, Approving the draft Cabinet Resolution Concerning the Health Advertisement Regulations; and
- Based upon the proposal submitted by the Minister of Health and the Cabinet's approval,

Resolved:

Article (1)

Objective of the Regulation

This Regulation aims to control the advertising of medical products to make sure that advertisements do not mislead people or promote unnecessary using of medical products and that medical products to be advertised or promoted for sale do not affect public health.

Article (2)

Scope of Application of the Regulation

Without prejudice to the provisions set forth in federal laws, regulations and decisions that

are applied to the private health facilities, this Resolution applies to all medical Advertisements in the country.

Article (3)

Advertisements Licensing Authority

No natural or legal person may advertise or promote the sale of products related to or that are likely to make anyone believe that such an advertisement or promotion is related to any medical product without prior authorization from the Ministry of Health.

The Minister of Health and Prevention may authorize any local governmental health authority to license health advertisements within the Emirate its affiliated with in accordance with the conditions and controls determined pursuant to a resolution issued by him in this regard.

Article (4)

Terms of Advertisement Licenses

An Advertisement License requires taking the following steps:

- The applicant must abide by federal laws of the State of United Arab Emirates.
- The Advertisement must contain the correct and balanced statements only.
- The Advertisement must not adversely affect the customs and traditions of the UAE society and Islamic values
- The Advertisement must not include damage to third party products or installations.
- Using words like 'the only', 'unique', 'best product', 'Beware of imitation!', 'Don't miss!' must be avoided.
- The text of the Advertisement must not mislead people. For example, by using phrases like "The quantity is very limited!"
- The Advertisement must not be indecent.
- The Advertisement must not include untrue things that deceive the public opinion. The content of the Advertisement must be real and not deceptive for those who read it. It must be unlikely to be explained or interpreted in a way other than the direct way.
- The Advertisement must not be likely to induce non-guaranteed or non-real expectations

of effectiveness of the product.

- The Advertisement must not be likely to result in a self-diagnosis or improper treatment for potential, serious diseases that consumers are prone to diagnose.
- The Advertisement must not contain any matter that is likely to lead people to believe that they are suffering from a serious illness, or that adverse consequences may result from avoiding use of such medical products; and excluded from this item shall be sunscreen products, provided that such allegations are compatible with the current public health messages.
- The Advertisement must not encourage inappropriate or excessive consumption.
- The Advertisement must not contain any claim or statement or indication that the product's success is certain, unfailing, magical, miraculous, or that the product is 100% guaranteed effective.
- The Advertisement must not contain any claim or statement or indication that the product is safe or that its use can cause no harm or that it lacks side effects.
- The Advertisement must not be minor-targeted.
- The Advertisement must not offer any personal incentives for any pharmacist's assistant, or someone else in the retail sales who is not specialized in health care, to recommend or supply any pharmaceutical products.

Article (5)

Licensing Fees

The Ministry of Health shall collect fees specified in the following tables:

A: Fees for Advertisements Prior Licenses:

Advertisement Classification	Fees (in AED per Month)	Fees (in AED per Annum)
Printed Advertisements (Static)	500	6,000
Radio and Audio Advertisements	700	8,000
Audio-visual Advertisements	800	9,000

Promotional Advertisements	500	5,000
Advertisements that need to be modified	400	4,000

B: License Renewal Fees:

Advertisement Classification	Fees (in AED per Month)	Fees (in AED per Annum)
Printed Advertisements (Static)	500	6,000
Radio and Audio Advertisements	700	8,000
Audio-visual Advertisements	800	9,000
Promotional Advertisements	500	5,000
Advertisements that need to be modified	400	4,000

C: Fees for correcting the wording of the Advertisement when it deviates from the conditions specified in this Regulation and/or the controls issued by the Minister of Health:

Advertisement Classification	Fees (in AED per Month)	Fees (in AED per Annum)
Printed Advertisements (Static)	900	10,000
Radio and Audio Advertisements	1,200	14,000
Audio-visual Advertisements	1,400	16,000
Promotional Advertisements	700	8,000
Advertisements that need to be modified	500	6,000

D: Fees for Later Approval of Advertisements (For unlicensed Advertisements & Exceeding the Licensing Time Limit):

Advertisement Classification	Fees (in AED per Month)	Fees (in AED per Annum)
Printed Advertisements (Static)	1,000	12,000
Radio and Audio Advertisements	1,400	16,000
Audio-visual Advertisements	1,600	18,000
Promotional Advertisements	900	10,000
Advertisements that need to be modified	700	8,000

Article (6)

Regulation Controls and Mechanisms

Detailed controls and mechanisms for implementation of this Regulation shall be defined by a decision of the Minister of Health.

Article (7)

Means of Advertising

All visible, audible and readable mass media must not publish any advertisement which is subject to this Regulation without prior approval from the Ministry of Health. The Ministry of Health shall coordinate with the Ministry of Culture, Youth and Community Development, the actions to be taken against the violating advertising means.

Article (8)

All concerned state federal and local authorities shall cooperate to implement the provisions of this resolution.

Article (9)

This decision shall be published in the Official Gazette and shall be implemented as of the date of publication.

Mohammad bin Rashid

Prime Minister

Issued by Us:

On: 03 Muharram 1428 AH

Corresponding to: 20 February 2007 AD