

Executive Council Resolution No. (39) of 2015
Regulating
Poll Studies Firms Operating in the Emirate of Dubai¹

We, Hamdan bin Mohammed bin Rashid Al Maktoum, Crown Prince of Dubai, Chairman of the Executive Council,

After perusal of:

Law No. (3) of 2003 Establishing the Executive Council of the Emirate of Dubai;

Law No. (9) of 2004 Concerning the Dubai International Financial Centre and its amendments;

Law No. (23) of 2006 Establishing the Dubai Statistics Centre;

Law No. (35) of 2009 Concerning Management of the Public Funds of the Government of Dubai and its amendments;

Decree No. (22) of 2009 Concerning Special Development Zones in the Emirate of Dubai; and

The legislation establishing and regulating free zones in the Emirate of Dubai,

Do hereby issue this Resolution.

Definitions
Article (1)

The following words and expressions, wherever mentioned in this Resolution, will have the meaning indicated opposite each of them unless the context implies otherwise:

UAE:	The United Arab Emirates.
Emirate:	The Emirate of Dubai.
DSC:	The Dubai Statistics Centre.

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¹*Every effort has been made to produce an accurate and complete English version of this legislation. However, for the purpose of its interpretation and application, reference must be made to the original Arabic text. In case of conflict the Arabic text will prevail.*

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Executive Director:	The executive director of the DSC.
Poll Study:	Survey of opinions; measurement of perceptions; and collection of data, information, and statistics on a particular matter during a specific period through various direct and indirect techniques and methods.
Activity:	Conducting Poll Studies for third parties in the Emirate.
Person:	A natural or legal person.
Firm:	A legal person licensed, by the DSC and the concerned commercial licensing authority, to conduct the Activity in the Emirate.
Permit:	A document issued by the DSC authorising a Firm to conduct the Activity in the Emirate.
Temporary Permit:	A document issued by the DSC authorising a Firm licensed outside of the Emirate to conduct a specific Poll Study in the Emirate.
Personal Data:	The personal information provided by a Person in the course of conducting a Poll Study.

Scope of Application

Article (2)

The provisions of this Resolution will apply to all those who conduct the Activity in the Emirate, including Special Development Zones and free zones such as the Dubai International Financial Centre.

Objectives of the Resolution

Article (3)

This Resolution aims to achieve the following:

1. to ensure the proper and accurate conduct of Poll Studies in the Emirate in accordance with the relevant recognised scientific methodologies and practices;
2. to provide legal protection for Personal Data;
3. to ensure efficient conduct of Poll Studies by Firms; and

4. to remove the obstacles facing the conduct of Poll Studies and create a favourable environment for conducting them.

Functions of the DSC

Article (4)

For the purpose of achieving the objectives of this Resolution, the DSC will have the duties and powers to:

1. approve the scientific methodologies and principles related to conducting Poll Studies in accordance with the best practices adopted in this respect;
2. determine, in accordance with the standards and requirements prescribed by a resolution issued by the Executive Director, the applications submitted by the entities wishing to conduct the Activity;
3. seek to find the appropriate solutions to overcome obstacles facing Firms in the course of conducting Poll Studies;
4. issue, in accordance with the relevant rules adopted by the DSC, identification cards for field researchers employed by Firms;
5. monitor and supervise Firms, and verify their compliance with the provisions of this Resolution and the resolutions issued in pursuance hereof;
6. issue, in coordination with the concerned commercial licensing authority, Temporary Permits in accordance with the relevant rules adopted by the DSC;
7. create a database of the findings of Poll Studies, and benefit from these findings in updating the statistical data on the Emirate;
8. receive and investigate complaints filed against Firms, and impose the penalties and measures prescribed in this Resolution on violating Firms;
9. review the reports issued based on the Poll Studies conducted in the Emirate, and prepare, where necessary, appropriate responses to these reports in coordination with concerned Government entities; and
10. perform any other duties required for the achievement of the objectives of this Resolution.

Conducting the Activity
Article (5)

No Person may conduct the Activity in the Emirate without obtaining a relevant Permit from the DSC, and a licence from the concerned commercial licensing authority. The conditions and requirements for conducting the Activity will be prescribed by the relevant resolutions issued by the Executive Director.

Confidentiality and Use of Personal Data
Article (6)

All Personal Data is deemed confidential and may be revealed or disclosed only upon the approval of the concerned Person, or the request of a competent judicial authority. Personal Data may not be used for other than the relevant Poll Study purposes.

Obligations of Firms
Article (7)

A Firm must:

1. comply with the conditions and rules adopted by the DSC for conducting the Activity;
2. appoint the qualified administrative and technical staff required for conducting Poll Studies in the Emirate, and notify the DSC of their names, details, and qualifications, in accordance with the requirements and conditions prescribed by the DSC in this respect;
3. provide the DSC, when requested, with any information or data related to conducting the Activity in the Emirate;
4. cooperate with the DSC employees, and grant them access to its premises and to the records, documents, and data related to conducting the Activity;
5. require Persons working with it to produce their identification cards to others when conducting Poll Studies; and
6. perform any other obligations determined pursuant to the relevant resolutions issued by the Executive Director.

Places for Conducting Field Poll Studies
Article (8)

Field Poll Studies may be conducted only at the places where this is authorised by the DSC.

Prohibited Acts

Article (9)

The following acts are prohibited for Firms, and entities on behalf of which Poll Studies are conducted or to which Temporary Permits are issued:

1. violating the conditions and rules adopted by the DSC for conducting the Activity;
2. using the findings of Poll Studies to undermine the image of the UAE or its achievements in any way;
3. violating the confidentiality of Personal Data;
4. changing or modifying the findings or outcomes of Poll Studies to misrepresent the facts;
5. employing an unauthorised Person to conduct Poll Studies; or
6. conducting field Poll Studies at other than the places where this is authorised by the DSC.

Fees

Article (10)

The DSC will charge, in return for issuing Permits and providing other services set out in Schedule (1) attached hereto, the fees indicated opposite each service.

Penalties and Administrative Measures

Article (11)

- a. Without prejudice to any stricter penalty stipulated in any other resolution, any Person who commits any of the violations set out in Schedule (2) attached hereto will be punished by the fine indicated opposite that violation. The amount of the fine will be doubled upon repetition of the same violation within one (1) year from the date of the previous violation. A doubled fine must not exceed forty thousand Dirhams (AED 40,000.00).
- b. In addition to the penalty of a fine prescribed by paragraph (a) of this Article, the DSC may take one or more of the following measures against the violator:
 1. suspending the Permit of the violating Firm for a period not exceeding six (6) months;
 2. revoking the Permit; and/or
 3. revoking the identification card.

Law Enforcement
Article (12)

Employees and inspectors of the DSC nominated pursuant to a resolution issued by the Executive Director will have the capacity of law enforcement officers to record the acts committed in breach of the provisions of this Resolution and the resolutions issued in pursuance hereof. For this purpose, they may issue the necessary violation reports.

Seeking Assistance from Government Entities
Article (13)

For the purpose of exercising the duties and powers assigned to it pursuant to this Resolution, the DSC may seek assistance from the competent Government entities, including police personnel. Upon request, such entities must provide support and assistance to the DSC.

Payment of Fees and Fines
Article (14)

Fees and fines collected pursuant to this Resolution will be paid to the Public Treasury of the Government of Dubai.

Compliance
Article (15)

All entities to which this Resolution applies must comply with its provisions within a maximum period of one (1) year from the effective date hereof.

Issuing Implementing Resolutions
Article (16)

The Executive Director will issue the resolutions required for the implementation of the provisions of this Resolution.

Publication and Commencement
Article (17)

This Resolution will be published in the Official Gazette and will come into force on the day on which it is published.

Hamdan bin Mohammed bin Rashid Al Maktoum
Crown Prince of Dubai
Chairman of the Executive Council

Issued in Dubai on 17 August 2015
Corresponding to 2 Thu al-Qidah 1436 A.H.

Schedule (1)
Fees for Conducting the Activity in the Emirate

SN	Description	Fee (in Dirhams)
1	Request for a Permit	500.00
2	Issuance of a Permit	4,500.00
3	Issuance of a permit for a firm whose commercial licence does not exceed six (6) months	2,500.00
4	Renewal of a Permit	5,000.00
5	Issuance of a Temporary Permit	2,500.00
6	Amendment of a Firm's basic information	AED 100.00 per variation
7	Issuance of an identification card for a Firm's field researcher	50.00
8	Issuance of a replacement for a lost or damaged identification card for a Firm's field researcher	100.00
9	Amendment of identification card details of a Firm's field researcher	50.00
10	Professional competency test	500.00

Schedule (2)
Violations and Fines

SN	Description	Fine (in Dirhams)
1	Conducting the Activity in the Emirate without obtaining a Permit	20,000.00
2	Conducting the Activity in the Emirate after the expiry of the Permit	AED 5,000.00 per month of delay, and up to AED 20,000.00. Part of a month will be rounded to a full month.
3	Not providing the information and data required by the DSC	5,000.00
4	Contravention of the conditions of the Permit or Temporary Permit	5,000.00
5	Employing an unauthorised Person to conduct a Poll Study	6,000.00
6	Not presenting by persons working with a Firm the relevant identification cards issued by the DSC to others while conducting field Poll Studies	400.00
7	Disclosure the confidentiality of Personal Data or using it for other than the Poll Study purposes	20,000.00
8	Non-cooperation with the employees of the DSC or the entities authorised by the DSC, or obstructing their work	5,000.00
9	Changing or modifying the findings or outcomes of a Poll Study to misrepresent the facts	10,000.00
10	Conducting a field Poll Study at other than the places where this is authorised	3,000.00
11	Non-commitment with the resolutions and instructions issued by the DSC	10,000.00