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UAE Toughens Law on Cyber Dissent

ABU DHABI-The United Arab Emirates has tightened the law on online dissent, imposing jail terms for anyone who derides or caricatures the Arab Gulf country's rulers or state institutions on the web.

The amendments to an existing law on Internet crime were issued in a decree by President Sheikh Khalifa bin Zayed al-Nahyan, the state news agency WAM reported. They "stipulate penalties of imprisonment on any person who creates or runs an electronic website or uses any information technology medium to deride or damage the reputation or stature of the state or any of its institutions," the report said.

This includes the president, the vice president, any of the rulers of the seven emirates that make up the UAE, crown princes, deputy rulers, the national flag, the national anthem, the emblem of the state or any of its symbols, it said.

The amendments cover a wide range of offences, including outlawing the use of the Internet for human trafficking and prostitution. Social networking sites have enlivened public discourse in the UAE, a major oil exporter and business hub, where the state media is tightly controlled and freedom of speech is restricted. People across society, from ruling family members, to ministers, government supporters and dissidents, make use of sites such as Twitter and Facebook.

But the new rules also include jail terms for "any person publishing any information, news, caricatures or any other kind of pictures that would pose threats to the security of the state and to its highest interests or violate its public order," WAM reported. In addition, anyone who uses the Internet "to call for demonstrations, marches and similar activities without a license being obtained in advance from the competent authorities" could also face imprisonment.

Source: Arab Times

Syria Grants General Amnesty for Crimes Committed before October 23rd

DAMASCUS-A general amnesty for the crimes committed before October 23, 2012 has been issued recently for which it replaces death penalty with life sentence of hard labor or long imprisonment sentence according to the crime. It also replaces life sentence of hard labor with 20 years' imprisonment of hard labor, and it replaces the life imprisonment sentence with 20 years' imprisonment.

The decree grants amnesty of life and permanent sentence for people with incurable diseases ,and whole permanent sentence for people who completed seventy years of age by the issuance of the decree. It also includes whole life sentence for those who completed seventy years of age providing that the crime had been committed before they were sixty.

Crimes of smuggling weapons and drug trafficking are excluded from the provision of this decree. The decree's terms don't include as well the fugitives from justice unless they turn themselves in within 30 days for internal flight.

Minister of Justice, Najm Ahmad al-Ahmad, described the Legislative Decree No. 71 as ‹the most inclusive› in the history of the Syrian Arab Republic, saying it came in the framework of social tolerance, national unity and the requirements of co-existence.

Critics saw this decree as a negative step for Intellectual Property cases. As violators accused of infringement actions will no longer face penalties even if the court's decision was in favor of the plaintiff's.

Source: Sana News Agency

FNC Discusses Draft Companies Law in UAE

ABU DHABI- The Committee on Financial Affairs at the Federal National Council (FNC) has recently discussed the draft of the Commercial Companies Law (CCL), which aims to enhance the diversity and openness of the national economy, and to keep abreast with domestic and global economic changes by preserving a continuous and balanced growth in all economic sectors in the UAE. The proposed UAE Federal Law on Commercial Companies, which was referred to FNC by the cabinet, comprises 12 chapters and 383 articles.

The law aims at improving the business landscape in the UAE, making it easier to do business here and potentially boost the economy. The draft law protects businessmen and their investments and is also tipped to help upgrade UAE's status from a frontier market to an emerging market, however, it is questionable whether it will bring about the level of change anticipated and needed by the market.

Under the draft law, the founders of a Public Joint Stock Company (PJSC) are obliged to subscribe to no less than 30% of the issued capital of the company. The draft law will not apply to companies excluded by a Cabinet resolution. These include companies wholly owned by Federal or local authorities or any entities wholly owned by such companies, companies in which the Federal or local authority, or any establishment, authority, department or company controlled or held by any of the foregoing (directly or indirectly) holds at least a 25% shareholding , operating in oil exploration, drilling, refining, manufacturing, marketing or operating in the energy sector in power generation, gas production, or water desalination and distribution.

The law also states that the Cabinet can issue a decree outlining the conditions for registering companies operating in UAE Free Zones that wish to carry out their business activities outside the free zone, in mainland (onshore) UAE. These decrees will open up the jurisdiction for free zone companies wishing to also operate in the UAE outside of the Free Zones.

While the draft law enforces strict corporate governance standards and procedures on PJSCs in accordance with international standards and practices. The Ministry of Economy will be issuing a decree setting out corporate governance requirements and a framework for PJSCs consisting of more than 75 shareholders. Banks, finance companies, financial investment companies, exchanges and money brokerage companies are excluded. In addition to this provision, it is intended that the Chairman of the Emirates Securities and Commodities Authority (ESCA) will issue corporate governance requirements for PJSCs and the board of the company.

Pursuant to the new law, the UAE Cabinet may, on proposals made by the Minister of Economy, co-ordinate with the competent authority in the relevant Emirate to determine the form of company, type of business activity or class of business that can be held in full by a foreign national. They can also decide on instances where the shareholding of a foreign partner can exceed 49% of the share capital of the company. These determinations are likely to be made by decree.

As for the scope of free zone companies, the draft law states that UAE Cabinet can issue a decree outlining the conditions for registering companies operating in UAE Free Zones that wish to carry out their business activities outside the free zone, in mainland (onshore) UAE. These decrees will open up the jurisdiction for free zone companies wishing to also operate in the UAE outside of the Free Zones.

Source: WAM (Emirates News Agency)

Saudi Firms with Majority of Expats to be Fined

JEDDAH - Starting November 2012, private sector firms that employ more foreigners than Saudis will have to pay a fine of SR2,400 ($640) a year for each excess foreigner, the Labor Ministry said in a statement. While the money generated from the fines will go to the Human Resources Fund and will be used to train Saudi youth for jobs, Deputy Minister of Labor for Planning and Development, Moufarrej Haqbani, was quoted as saying in the statement.

The fines, however, will not be applied for foreigners with Saudi mothers, citizens of other Gulf Cooperation Council countries or household help, the statement said.

"The aim of this decision is to increase the competitive advantage of local workers by reducing the gap between the cost of expatriate labor and local labor," it said. The Ministry of Labor is trying to change the private sector's culture from one of "importing labor from abroad to one of developing national talent that is needed by the sector," said Haqbani.
He also added that "Each country gives priority to its citizens when it comes to the creation of job opportunities. The decision will reduce the recruitment of foreign workers and curb the violation of sponsorship regulations where some workers take up various jobs, disrupting the demand and supply balance."

Roughly nine in 10 employees of private companies in Saudi Arabia are expatriates, according to official estimates. Firms reportedly prefer to hire foreigners, many from south or southeast Asia, because they command lower wages than locals, which led to a high unemployment rate among Saudi citizens, about 10.5 percent. Saudi Arabia has a population of over 27 million, of which about nine million are believed to be foreigners.

In order to press private firms to hire more locals, the government introduced a quota system last year which imposes minimum numbers of Saudi employees on companies depending on their size and sector. Firms which do not comply shall face restrictions on obtaining visas for their foreign workers.

Source: The Saudi Gazette

Jordan's Cabinet Endorses Illicit Fortunes Draft Law

AMMAN -- The Cabinet endorsed the draft illicit fortunes law during a session conducted earlier as reported by Jordan's News Agency, Petra.
According to Petra, Prime Minister Abdullah Ensour mentioned that the bill will be referred to Parliament after the upcoming elections, which will be held next January.

Under the draft law, the illicit fortunes are "movable or immovable assets acquired by any person subject to this law -- for his/her benefit or for others -- by means of exploiting public office or title."The law also stipulates that "any increase in an employee's movable or immovable assets that occurs during his/her time in office, is considered as an illicit gain if that increase is not proportionate to his/her financial income, and if he/she fails to clarify the source of these financial revenues".

The law applies to senior officials, members of the Upper and Lower Houses, heads of civil and military institutions, diplomats, judges and the Central Bank of Jordan's governor and his deputies.
In addition, a department specialised in enforcing the law will be established at the Ministry of Justice.
The department, to be headed by a Cassation Court judge named by the Higher Judicial Council (HJC), will be under the jurisdiction of the justice minister.

Under the law, the HJC will be responsible for forming a commission, headed by a Cassation Court judge with the membership of two judges, at the beginning of January of each year, to study and examine every complaint received by the department against any person subject to the law.

The panel will also be responsible for providing the Anti-Corruption Commission with its decisions and any information it demands on persons accountable under the law in connection with any corruption cases it is investigating. Concerned public bodies should provide the illicit fortunes combating department with the names of their employees within two months after the law goes into effect.

Those who are found to have made illicit gains "as defined by the law" will be sentenced to three to 15 years of hard labour and pay a fine equivalent to the value they have gained.

Source: The Jordan Times

World Bank Extends Gratitude to TAG-Legal for Contribution to Doing Business 2013 Report

WASHINGTON, DC - The World Bank, a vital source of financial and technical assistance to developing countries around the world, has recently launched the Doing Business 2013 Report entitled “Smarter Regulations for Small and Medium-Size Enterprises”.

The World Bank extended gratitude to Talal Abu-Ghazaleh Legal (TAG-Legal) team for their support of the Doing Business legal research.

TAG-Legal has previously contributed to the Doing Business reports by conducting surveys and legal researches in various Arab and Middle Eastern countries and providing the World Bank with the results that were adopted for developing the reports.

The Doing Business Project provides objective measures of business regulations and their enforcement across 185 economies and selected cities at the subnational and regional level.

Launched in 2002, The Doing Business Project looks at domestic small and medium-size companies and measures the regulations applying to them through their life cycle.

By gathering and analyzing comprehensive quantitative data to compare business regulation environments across economies and over time, Doing Business encourages countries to compete towards more efficient regulation; offers measurable benchmarks for reform; and serves as a resource for academics, journalists, private sector researchers and others interested in the business climate of each country.

Ms. Yousriya Abu El-Ezz, executive director of Talal Abu- Ghazaleh Legal said: “We contributed in 23 surveys from eight economies this year. The following offices participated from TAG-Legal: TAG-Legal Bahrain, TAG-Legal Egypt, TAG-Legal Jordan, TAG-Legal Syria, TAG-Legal Oman, TAG-Legal KSA, TAG-Legal UAE and TAG-Legal Iraq.”

Here are some key findings of the report:
The report marks the 10th edition of the Doing Business series. Over the past decade, these reports have recorded nearly 2,000 regulatory reforms implemented by 180 economies. The reforms have yielded major benefits for local entrepreneurs across the globe. *For example:*

• Since 2005, the average time to start a business has fallen from 50 days to 30—and in low-income economies the average has been reduced by half.

• In the past eight years, the average time to transfer property fell by 35 days, from 90 to 55, and the average cost by 1.2 percentage points—from 7.1 percent of the property value to 5.9 percent.

• In the past eight years, improvements to simplify tax compliance have reduced the time required annually to comply with the three major taxes measured (profit, labor, and consumption taxes) by 54 hours on average.

• In the past year alone, 108 economies implemented 201 regulatory reforms that made it easier for local entrepreneurs to do business.
To review full report, data and media materials, including region-specific press releases and fact sheets, please visit the following website: www.doingbusiness.org

Source: Ag-IP News Agency

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