

We, Abdullah II Ibn Al Hussein, King of the Hashemite Kingdom of Jordan,

Pursuant to paragraph (1) of article (94) of the Constitution, and

Based on Resolution of the Council of Ministers on June 12, 2003, and

Pursuant to article (31) of the Constitution,

Hereby ratify and order promulgation, provisional implementation and addition of the following Provisional Law to State laws with a view to presenting the same to the Parliament in the earliest meeting thereof:

Provisional Law No. (70) of 2003

Law of Chambers of Commerce

Article (1):

This Law shall be cited as (the Law of Chambers of Commerce of 2003) and shall come into effect as of the date of publication thereof in the Official Gazette.

Article (2):

The following words and expressions, wherever used in this Law, shall have the meanings assigned thereto hereunder; unless otherwise indicated by reference:

The Ministry: Ministry of Industry and trade.

The Minister: Minister of Industry and Trade.

The Chamber: Jordan Chamber of Commerce.

The General Assembly: General Assembly of the Chamber.

The Board:	Board of Directors of the Chamber.
The Chairperson:	Chairperson of the Board.
Chambers of commerce:	Any chamber of commerce set forth in article (33) of this Law.
Commerce:	Land and sea commercial businesses in accordance with the effective Law of Commerce; excluding industry, mining, petroleum and electricity.
The commercial sector:	All companies and establishments working in one or more types of commerce as specified by virtue of regulations issued in accordance with this Law.
Commercial establishment:	Any individual company or establishment the main purpose of which is commerce, operating in a certain commercial sector and the registered capital of which is equal to or more than five thousand dinars.
Small establishment:	Any individual company or establishment the main purpose of which is commerce, operating in a certain commercial sector and the registered capital of which is less than five thousand dinars.

Article (3):

- a. A chamber shall be established in the Kingdom and called (Jordan Chamber of Commerce). Said Chamber shall be a financially and administratively independent juridical person and may, in such capacity, own movable and immovable assets, undertake all legal actions necessary to achieve objective thereof including concluding

contracts, accepting aid; grants and donations and litigating and shall be represented in judicial proceedings by an attorney appointed thereby for this purpose.

- b. The Main Office of the Chamber shall be in the city of Amman.

Article (4):

The Chamber shall aim at achieving the following:

- a. To participate in drafting the policy relating to the commercial sector and developing the necessary strategy and plans for implementation of the same.
- b. To participate in commercial development.
- c. To safeguard the interests of commercial and small establishments.
- d. To promote cooperation between individual chambers of commerce on one hand and between said chambers of commerce and Arab and International associations and chambers of commerce on the other.
- e. To strive to enhance the capabilities and coordinate the efforts of chambers of commerce.

Article (5):

The Chamber shall undertake the following duties in order to achieve objectives thereof:

- a. Representing commercial and small establishments and chambers of commerce before all official or non-official body in the Kingdom or abroad.
- b. Participating with relevant parties in organizing commercial and economic conferences and Arab and international commercial and economic activities.
- c. Conducting, publishing and updating studies and researches relating to commerce.
- d. Collecting, classifying, updating and providing merchants with information and statistics relating to commerce, and establishing an information center which provides latest programs relating to commerce and economy in cooperation with Jordanian, Arab and

- international information centers and in coordination with chambers of commerce.
- e. Submitting proposals with respect to existing legislations and draft laws and regulations relating to commerce and economy.
 - f. Providing commercial and economic technical and technological advice and seeking assistance from experts and economists for this purpose.
 - g. Any other duties relevant to objectives of the Chamber.

Article (6):

The Chamber shall comprise a General Assembly and a Board of Directors.

General Assembly

Article (7):

The General Assembly shall comprise chairpersons and members of boards of directors of chambers of commerce and four representatives for each commercial sector to be elected from among registered members of sectors; provided that one of which is the representative referred to in clause (2) of paragraph (a) of article (14) of this Law.

Article (8):

The General Assembly of the Chamber shall have the following jurisdictions:

- a. To discuss the policy of the Chamber submitted thereto by the Board.
- b. To approve the draft annual budget of the Chamber.
- c. To approve the annual report on the work of the Board, final accounts and balance sheet of the Chamber.
- d. To appoint, and set remunerations for, a certified auditor to review the accounts of the Chamber.
- e. To discuss matters presented thereto by the Board and present necessary recommendations thereon.

Article (9):

- a. The General Assembly shall hold an ordinary meeting at least once a year in the place and time specified by the Board and the quorum for general meetings shall be no less than two thirds of members. Should said quorum not be met within one hour as of the time set for a meeting, said meeting shall be rescheduled for a date not exceeding fifteen days as of the date of the original meeting. The call for the second meeting shall be published twice in no more than two local daily newspapers and said meeting shall be deemed valid regardless of the number of attendants.
- b. Decisions in ordinary general meetings shall be passed by no less than the majority vote of attending members.

Article (10):

- a. Extraordinary general meetings may be held to consider certain matters in any of the following two cases:
 1. Should this be deemed necessary by the Board.
 2. Upon written request submitted to the Board by no less than (25%) of members of the General Assembly; in which case the Board shall call for a general meeting within twenty working days as of the date of receiving said request; provided that said call includes the agenda of the meeting.
- b. Issues other than those for which an extraordinary general meeting is held may not be discussed in said meeting unless connected to or originating from the same.
- c. Decisions in extraordinary meetings shall be passed by no less than (75%) majority vote of attending members.

Article (11):

Calls for general meetings shall be delivered by recorded delivery mail, published once in two local daily newspapers not less than fifteen days prior to the dates of meetings and shall include agendas of meetings.

Article (12):

General meetings shall be chaired by the Chairperson or, if not present, the Deputy Chairperson and if both are absent the General Assembly shall elect a chairperson for the meeting.

Article (13):

In the event that the General Assembly does not complete discussion of all items on the agenda, the Chairperson may; upon approval by all attending members; reschedule the meeting for a later date to be set during the original meeting without the need for a new call for a general meeting; in accordance with established rules in this Law.

Board of Directors of the Chamber

Article (14):

- a. The Chamber shall be run by a Board of Directors comprised as follows:
 1. Chairpersons of the Boards of Directors of all chambers of commerce or, in the absence thereof, Deputy Chairpersons; if the number of commercial establishments who are members in said chambers of commerce is less than a certain figure specified by virtue of regulations issued pursuant to this Law.
 2. A representative of each commercial sector to be elected by commercial establishments registered therein in accordance with this Law.
 3. One or more additional representatives elected by the Board of Directors of the Chamber of Commerce to represent a number of commercial establishments exceeding the number provided for in clause (1) of this article; provided that said number is specified pursuant to the regulations referred to in said clause.
- b. Should the commercial establishment referred to in clause (2) of paragraph (1) of this article operate in more than one commercial

sector, said establishment shall be represented in one commercial sector selected thereby for this purpose.

Article (15):

A member of the Board shall fulfill the following requirements:

- a. Be a Jordanian national.
- b. Pay the fees and contributions payable thereby to the chamber of commerce of which they are a member.
- c. Be a chairperson of a commercial establishment which is a member of the general assembly of any chamber of commerce or the Chief Executive Officer, an owner or member of the board of directors or management of said establishment.
- d. Not convicted with any crime or misdemeanor involving moral turpitude or declared bankrupt; unless rehabilitated.

Article (16):

- a. The term of the Board shall be four years.
- b. The Board shall, in the first meeting thereof, elect the Chairperson; Deputy Chairperson, Secretary and Treasurer from among members thereof.

Article (17):

The Board shall undertake the following duties and authorities:

- a. To draft and oversee implementation of the policy and action plan of the Chamber.
- b. To manage administrative and financial affairs of the Chamber.
- c. To strive to achieve the objectives and perform the duties of the Chamber.
- d. To safeguard the interests and defend the rights of merchants.
- e. To call for ordinary and extraordinary general meetings and discuss recommendations submitted thereby.
- f. To approve regulations relating to administrative and financial affairs of the Chamber; including regulations relating to supplies.

- g. To set up necessary committees to implement provisions of this Law and regulations issued pursuant thereto, and assign duties thereof by virtue of the formation decisions of the same.
- h. To set up an executive office for the Chamber biennially; chaired by the Chairperson and comprising membership of six Board members divided equally between chambers of commerce and commercial sectors; to undertake duties assigned or delegated thereto by the Board.
- i. To strive to resolve, amicably or by means of arbitration, disputes arising between chambers of commerce or between the same and commercial and small establishments or any other Jordanian or non-Jordanian parties.
- j. To participate with relevant parties in preparing draft legislations relating to commerce and economy.
- k. To appoint and determine salaries and terms of employment and termination of services of Chamber staff in accordance with regulations issued by the Board for this purpose.
- l. Any other matters that help achieve objectives of the Chamber and the commercial sector in the Kingdom.

Article (18):

The Board shall convene upon call by the Chairperson or, in the absence thereof, the Deputy Chairperson thereof, or upon a written request submitted to the Chairperson by (25%) of Board members. The quorum for Board meetings shall be no less than the majority of members, including the Chairperson or Deputy Chairperson, and decisions shall be passed by no less than majority vote of attending members. Objecting members shall establish objections thereof, along with reasons for the same, in writing.

Article (19):

In the event the term of the Board expires and election of a new board proves unattainable for compelling reasons assessed by the Minister, the current Board shall remain in office until said reasons cease to exist and a

new board is elected in accordance with this Law and regulations issued pursuant thereto.

Article (20):

- a. Should a vacancy occur in the Board due to death, resignation or bankruptcy of a member or the commercial establishment represented thereby; failure to attend three consecutive sessions without legitimate reasons or loss of any membership requirement, said member shall; for the remainder of term in office; by the person who received the next highest number of votes in the elections or the one selected by the Board of Directors of the Chamber of Commerce pursuant to article (14) of this Law; as the case may be; otherwise, the Minister shall select a substitute therefor for the remaining term of the Board.
- b. 1. Should the Board no longer meet the quorum thereof or be dissolved by resolution of the Council of Ministers upon submission by the Minister as public interest requirements may dictate, the Council of Ministers shall; upon submission by the Minister; set up an interim committee to run the affairs of the Chamber until a new board is set up in accordance with this Law within the period set by the Council of Ministers.

2. The Council of Ministers may, upon submission by the Minister and for justified reasons, extend the period set forth in clause (1) of this paragraph.

Financial and Administrative Affairs of the Chamber

Article (21):

The fiscal year for the Chamber shall begin on the first day of January of any given year and end on the thirty first day of December of the same year. The first fiscal year, however, shall begin as of the date of establishing the Chamber and end on the thirty first day of December of the same year.

Article (22):

The financial resources of the Chamber shall comprise the following:

- a. A percentage of revenues of chambers of commerce, the amount and method of collection of which shall be determined by virtue of regulations issued pursuant to this Law.
- b. Proceeds from investment of funds of the Chamber.
- c. Grants, aid, donations and any other resources received by the Chamber. Proceeds from non-Jordanian resources shall be subject to approval by the Council of Ministers.
- d. Any other resources approved by the Board.

Chambers of Commerce

Article (23):

Chambers of commerce in the Kingdom shall be as follows:

- a. Chambers of commerce established under the Law of Chambers of Commerce and Industry No. (41) of 1949 which are:
 1. Amman Chamber of Commerce.
 2. Irbid Chamber of Commerce.
 3. Zarqa Chamber of Commerce.
 4. Aqaba Chamber of Commerce.
 5. Salt Chamber of Commerce.
 6. Jerash Chamber of Commerce.
 7. Mafraq Chamber of Commerce.
 8. Karak Chamber of Commerce.
 9. Tafeeleh Chamber of Commerce.
 10. Madaba Chamber of Commerce.
 11. Maan Chamber of Commerce.
 12. Al-Mazar al-Janoubi Chamber of Commerce.
 13. Al-Shouneh Al-Janoubiyah Chamber of Commerce.
 14. Rusaifeh Chamber of Commerce.
 15. Ramtha Chamber of Commerce.

b. Ajloun Chamber of Commerce established under this Law.

Article (24):

Chambers of commerce shall be financially and administratively independent persons and may, in such capacity, own movable and immovable assets; undertake all legal actions required to achieve objectives thereof including concluding contract, borrowing and accepting aid; grants and donations and litigating, and shall be represented in judicial proceedings by attorneys assigned thereby for this purpose.

Article (25):

- a. Subject to paragraph (b) of this article, commercial and small establishments; including those in the Aqaba Special economic Zone; shall undertake to join chambers of commerce within the jurisdiction of which outlets of any of said establishments are located. Each of said establishment shall be deemed a single member regardless of the number of outlets owned thereby throughout the Kingdom.
- b. Small establishments shall not participate in discussion of any matters that fall within jurisdictions of the general assembly of the chamber of commerce of which the same are members; including the right to elect and vote.

Article (26):

- a. Chambers of comers shall, within jurisdictions thereof, aim at achieving the following:
 1. Safeguarding interests of commercial and small establishments which are members therein and representing the same before the Chamber.
 2. Strengthening cooperation between members of chambers of commerce.
 3. Contributing to promotion of local commercial products.
- b. Chambers of commerce shall undertake the following duties and authorities in order to achieve objectives thereof:

1. Issuance of certificates of origin for different products and authenticating invoices, signatures, guarantees and commercial documents in line with the effective Law of Chambers of Commerce.
2. Contributing to, or conducting, the necessary training for development commerce and commercial and small establishments.
3. Contributing to encouragement of investment within venue jurisdictions thereof.
4. Contributing to serving the local community.
5. Seeking to resolve, amicably or by means of arbitration, disputes arising between members thereof, between members and merchants or between members of other chambers of commerce.

Article (27):

- a. Scopes of venue jurisdictions of chambers of commerce shall be determined by virtue of a resolution to be issued by the Council of Ministers upon submission by the Minister.
- b. Chambers of commerce may establish offices therefor within venue jurisdictions thereof in accordance with regulations issued pursuant to this Law.

Article (28):

- a. Each chamber of commerce shall comprise a general assembly and a board of directors.
- b. The board of directors of each chamber of commerce shall comprise commercial establishments which are members thereof and have settled financial obligations payable thereby.
- c. The general assembly of each chamber of commerce shall undertake the following duties and authorities:
 1. Election of members of the board of directors thereof.
 2. Discussion of the annual report of the board of directors thereof.
 3. Approval of final accounts and the balance sheet.
 4. Appointment of a certified auditor to review accounts thereof.

5. Consideration of requests and proposals submitted by members of the general assembly of the chamber of commerce; provided that the same are submitted to the board of directors not less than ten days prior to the relevant meeting.
6. Administrative and financial control of the work of the board of directors thereof.

Article (29):

- a. The board of directors of each chamber of commerce shall comprise nine members elected by the general assembly thereof in accordance with this Law and regulations issued pursuant thereto.
- b. The term of the board of directors of the chamber of commerce shall be four years as of the date of election thereof. The board of directors shall elect a chairperson, a deputy chairperson, a secretary and a treasurer in the first meeting thereof.

Article (30):

The board of directors of each chamber of commerce shall undertake the following duties and authorities:

- a. Managing administrative and financial affairs of the chamber of commerce.
- b. Developing the organizational structure of the chamber of commerce and submitting the same to the general assembly for approval.
- c. Implementing the objectives and duties of the chamber of commerce.
- d. Preparing the draft annual budget, balance sheet, final accounts and annual report and submitting the same to the general assembly for approval.
- e. Appointing and determining salaries and terms of employment and termination of services of employees of chambers of commerce.

Article (31):

Notwithstanding what is provided for in article (23) of this Law, the Council of Ministers may; upon submission by the Minister based on recommendation by the Board; dissolve any chamber of commerce should

the same suffer poor financial or administrative conditions; in which case, funds, assets, rights and obligations thereof shall be transferred to the Chamber.

Article (32):

The following provisions set forth in this Law shall apply to each chamber of commerce:

- a. Requirements and vacancy of Board membership.
- b. Loss of quorum or dissolution of the Board.
- c. Board meetings.
- d. General meetings.
- e. Beginning and end of the fiscal year.

Interim Provisions

Article (33):

The Minister shall set up committees to run the affairs of the Chamber and other chambers of commerce, as the case may be, until the elections provided for in this Law are held within a period not exceeding six months as of the effective date thereof; subject to extension by resolution of the Minister.

Article (34):

The Minister shall be the authority on the affairs of the Chamber and other chambers of commerce.

Article (35):

The Council of Ministers shall issue the necessary regulations to implement provisions of this Law; including the following:

- a. Membership fees for chambers of commerce to be collected from commercial and small establishments.
- b. Specification of financial resources of chambers of commerce.

- c. Specification of fees to be collected from commercial and small establishments for authentication of invoices, certificates of origin, guarantees, certificates and all other documents.
- d. Regulation of the work of the Chamber and other chambers of commerce; including financial and administrative affairs thereof.
- e. Provisions and procedures relating to any elections held pursuant to this Law; including candidature requirements and relevant periods.

Article (36):

The Minister shall issue the necessary Implementing Regulations for this Law and the same shall be published in the Official Gazette.

Article (37):

- a. Law of Chambers of Commerce and Industry No. (41) of 1949 and amendments thereto shall be deemed null and void and any provision in any other legislation shall only apply to the extent it does not conflict with provisions of this Law.
- b. The Chamber shall, as of the effective date of this Law, be deemed the legal and actual successor of the Union of Jordanian Chambers of Commerce and shall substitute the same with respect to rights and obligations thereof, as well as any public or private body representation of which is provided for in any effective legislation.

Article (38):

The Prime Minister and Ministers shall be responsible for implementation of the provisions of this Law.

June 12, 2003

Rationale

For Provisional Law No. (70) of 2003

Law of Chambers of Commerce

It has been over fifty years since the Law of Chambers of Commerce No. (41) of 1949 was issued and forty years since it was amended.

In light of the recent development in the Kingdom, a new law of chambers of commerce became an urgent need; as administrative divisions were based on districts and sub-districts and establishing chambers of commerce therein, as well as the requirements for establishment of said chambers of commerce which became inadequate in light of recent economic developments and entering into international trade agreements by Jordan; all this calls for a chamber of commerce to draft commercial policies and regulate the commercial sector.

Promulgation of this law comes in the context of updating economic legislations approved by the government which aim at activating market mechanisms, improving economic performance, enhancing the role of local chambers of commerce, encouraging investment and set a definition for commercial establishments that would lead to membership in local chambers of commerce.