

# **The Constitution of the Hashemite Kingdom of Jordan**

January 1, 1952 (Up to date as of 2012)<sup>1</sup>

**We, Talal the First, King of the Hashemite Kingdom of Jordan, in accordance with Article 25 of the Constitution, and pursuant to the decision of the Senate and of the House of Representatives, hereby approve this revised Constitution and decree its promulgation.**

## **CHAPTER ONE - The State and System of Government**

### **Article 1 – System of Government<sup>2</sup>**

The Hashemite Kingdom of Jordan is an independent sovereign Arab State. It is indivisible and inalienable and no part of it may be ceded. The people of Jordan form a part of the Arab Nation, and its system of government is parliamentary with a hereditary monarchy.

### **Article 2 – Islam**

Islam is the religion of the State and Arabic is its official language.

### **Article 3 – The capital**

The city of Amman is the capital of the Kingdom, but it may be transferred to another place by a special law.

### **Article 4 – Flag**

The Jordanian flag shall be of the following form and dimensions: "The length of the flag shall be twice its width. It shall be divided horizontally into three parallel and equal stripes, the uppermost of which shall be black, the center, white, and the lowest, green. At the end of the flag-staff the flag shall have a red triangle, the base of which shall be equal to its width. In the triangle there shall be a white seven-pointed star of such a size that it may be one-fourteenth part of its length. The star shall be so placed that its center shall be at the intersection of the lines bisecting the angles of the triangle, and the axis running through one of its points shall be parallel to the base of the triangle."

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<sup>1</sup> This translation incorporates all changes that were made to the original 1952 Constitution including the amendments that were introduced and approved in 2011

<sup>2</sup> Translator's note: The original Arabic language version of the Constitution does not include titles for the individual articles. These are set out in this English language translation merely for ease of reference and should not be used in constructing a particular provisions' meaning.

## **CHAPTER TWO - Rights and Duties of Jordanians**

### **Article 5 – Nationality**

Jordanian Nationality shall be defined by law.

### **Article 6<sup>3</sup> – Equality, Defense of the homeland, education, family and protection of motherhood, childhood and the elderly**

- i. Jordanians shall be equal before the law. There shall be no discrimination between them as regards to their rights and duties on grounds of race, language or religion.
- ii. Defending the homeland, its land and people's unity and maintaining social peace are sacred duties of every Jordanian.
- iii. The Government shall ensure work and education within the limits of its possibilities, and it shall ensure a state of tranquility and equal opportunities to all Jordanians.
- iv. Family is the foundation of the society. It is founded on religion, morals and patriotism. The law preserves its legal entity, strengthens its ties and values.
- v. The law protects motherhood, childhood and the elderly and cares for youth and the disabled and protects them from offense and exploitation.

### **Article 7<sup>4</sup> – Personal Freedom**

- i. Personal freedom shall be guaranteed.
- ii. Any infringement on the rights and public freedoms or sanctity of private life of Jordanians is a crime punishable by law.

### **Article 8<sup>5</sup> – Due Process**

- i. No person may be arrested, detained, imprisoned, have his/her freedom restricted or prevented from free movement except in accordance with the provisions of the law.
- ii. Every person who is arrested imprisoned or whose freedom is restricted, must be treated in a way that preserves his/her human dignity. It is forbidden for him/her to be tortured (in any form) or harmed physically or mentally, as it is forbidden to detain him/her in places outside of those designated by the laws. Any statement extracted from a person under duress of anything of the above or the threat thereof shall neither bear any consideration nor reliability.

### **Article 9<sup>6</sup> – Deportation and Freedom of Movement**

- i. No Jordanian may be deported from the territory of the Kingdom.

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<sup>3</sup> Amended in 2011, paragraphs ii, iv and v were added

<sup>4</sup> Amended in 2011, paragraph ii was added

<sup>5</sup> Amended in 2011, paragraph ii was added

<sup>6</sup> Amended in 2011.

- ii. No Jordanian may be prevented from residing at any place or prevented from movement, or be compelled to reside in any specified place, except in the circumstances prescribed by law.

#### **Article 10 – Inviolability of private residences**

Private residences shall be inviolable and shall not be entered except in the circumstances and in the manner prescribed by law.

#### **Article 1 – Expropriation of property**

No property of any person or any part thereof may be expropriated except for purposes of public utility and in consideration of just compensation, as may be prescribed by law.

#### **Article 12 – Prohibition on the forcible imposition of loans and on confiscation**

No loans may be forcibly imposed and no property, movable or immovable, may be confiscated except in accordance with the law.

#### **Article 13 – Compulsory labour**

Compulsory labour may not be imposed on any person, but any person may be required to do any work or to render any service in circumstances prescribed by law, as stated hereunder:

- i. In a state of necessity, such as a state of war, the occurrence of a public danger, or fire, flood, famine, earthquake, serious epidemic among human beings or animals or animal diseases, insects or pests or any other similar events, or in any other circumstances which might endanger the safety of the population, in whole or in part.
- ii. As a result of the conviction of the person concerned by a court of law, provided that the work is done and the service rendered under the supervision of an official authority and provided further that no convicted person shall be hired to, or be placed at the disposal of, any persons, companies, societies or public bodies.

#### **Article 14 – Freedom of religion and of worship**

The State shall safeguard the free exercise of all forms of worship and religious rites in accordance with the customs observed in the Kingdom, unless such is inconsistent with public order or morality.

#### **Article 15<sup>7</sup> – Freedom of opinion, expression, scientific research, and of the press**

- i. The State shall guarantee freedom of opinion. Every Jordanian shall be free to express his opinion by speech, in writing, or by means of photographic representation and other forms of expression, provided that such does not violate the law.
- ii. The State shall guarantee freedom of scientific research. It shall also guarantee the freedom of literary, artistic and cultural creativity if not contrary to public order and public morals.

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<sup>7</sup> Amended in 2011, paragraphs i, i, iv and v were added

- iii. Freedom of the press, publications and mass media shall be ensured within the limits of the law.
- iv. Newspapers shall not be suspended from publication nor shall their permits be revoked except by a judicial order in accordance with the provisions of the law.
- v. In the event of the declaration of martial law or a state of emergency, a limited censorship on newspapers, publications, books, broadcasts and other means of communication in matters affecting public safety and national defense may be imposed by law.
- vi. Control of the resources of newspaper shall be regulated by law.

#### **Article 16<sup>8</sup> – Freedom of assembly and of association**

- i. Jordanians shall have the right to hold meetings within the limits of the law.
- ii. Jordanians are entitled to establish societies, associations and political parties provided that the objects of such societies and parties are lawful, their methods peaceful, and their by-laws not contrary to the provisions of the Constitution.
- iii. The establishment of societies, associations and political parties and the control of their resources shall be regulated by law.

#### **Article 17 – Right of petition**

Jordanians are entitled to address the public authorities on any personal matters affecting them, or on any matter relative to public affairs, in such a manner and under such conditions as may be prescribed by law.

#### **Article 18<sup>9</sup> – Postal, telegraphic and telephonic communications**

All postal, telegraphic and telephonic communications and other means of communication shall be treated as secret and as such shall not be subject to censorship, suspension or confiscation except by judicial order in accordance with the provisions of the law.

#### **Article 19 – Religious schools**

Congregations shall have the right to establish and maintain their own schools for the education of their own members provided that they comply with the general provisions of the law and be subject to the control of Government in matters relating to their curricula and orientation.

#### **Article 20<sup>10</sup> – Compulsory education**

Basic education shall be compulsory for Jordanians and free of charge in Government schools.

#### **Article 21 – Extradition of political refugees and extradition**

- i. Political refugees shall not be extradited on account of their political beliefs or for their defense of liberty.

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<sup>8</sup> Amended in 2011.

<sup>9</sup> Amended in 2011.

<sup>10</sup> Amended in 2011.

- ii. Extradition of ordinary criminals shall be regulated by international agreements and laws.

#### **Article 22 – Appointment to public office**

- i. Every Jordanian shall be entitled to be appointed to public offices under such conditions as are prescribed by law or regulations.
- ii. Appointment to any government office or to any establishment attached to the Government, or to any municipal office, whether such appointment is permanent or temporary, shall be made on the basis of merit and qualifications.

#### **Article 23 – Right o work**

- i. Work is the right of every citizen, and the State shall provide opportunities for work to al citizens by directing the national economy and raising its standards.
- ii. The State shall protect labor and enact legislation therefore based on the following principles:
  - a) Every worker shall receive wages commensurate with the quantity and quality of his work.
  - b) The number of hours of work per week shall be defined. Workers shall be given weekly and annual days of paid rest.
  - c) Special compensation shall be given to workers supporting families and on dismissal, illness, old age and emergencies arising out of the nature of their work.
  - d) Special conditions shall be made for the employment of women and juveniles.
  - e) Factories and workshops shall be subject to health safeguards.
  - f) Free trade unions may be formed within the limits of the law.

### **CHAPTER THREE - Powers: General Provisions**

#### **Article 24 – The source of powers**

- i. The Nation is the source of al powers.
- ii. The Nation shall exercise its powers in the manner prescribed by the present Constitution.

#### **Article 25 – Legislative power**

The Legislative Power shall be vested in the National Assembly and the King. The National Assembly shall consist of a Senate and a Chamber of Deputies.

#### **Article 26 – Executive power**

The Executive Power shall be vested in the King, who shall exercise his powers through his Ministers in accordance with the provisions of the present Constitution.

## **Article 27<sup>11</sup> – Judicial power**

The Judicial Power is independent and shall be exercised by the courts of law in their varying types and degrees. All judgments shall be given in accordance with the law and pronounced in the name of the King.

## **CHAPTER FOUR - The Executive Power**

### **A. Section I: The King and His Prerogatives**

#### **Article 28 – The throne and hereditary mechanisms**

The Throne of the Hashemite Kingdom of Jordan is hereditary to the dynasty of King Abdullah Ibn Al-Hussein in a direct line through his male heirs as provided hereinafter:

- a) The Royal title shall pass from the holder of the Throne to his eldest son and to the eldest son of that son and in linear succession by a similar process thereafter. Should the eldest son die before the Throne devolves upon him, his eldest son shall inherit the Throne, despite the existence of brothers to the deceased son. The King may, however, select one of his brothers as heir apparent. In this event, title to the Throne shall pass to him from the holder of the Throne.
- b) Should the person entitled to the Throne die without a male heir, the Throne shall pass to his eldest brother. In the event that the holder of the Throne has no brothers, the Throne shall pass to the eldest son of his eldest brother. Should his eldest brother have no son, the Throne shall pass to the eldest son of his other brothers according to their seniority in age. In the absence of any brothers or nephews, the Throne shall pass to the uncles and their descendants, according to the order prescribed in paragraph (b) above.
- c) Should the last King die without any heir in the manner prescribed above, the Throne shall devolve upon the person whom the National Assembly shall select from amongst the descendants of the founder of the Arab Revolt, the late King Hussein Ibn Ali.
- d) No person shall ascend the Throne unless he is a Muslim, mentally sound and born by a legitimate wife and of Muslim parents.
- e) No person shall ascend the Throne who has been excluded from succession by a Royal Decree on the ground of unsuitability. Such exclusion shall not of itself include the descendants of such person. The Royal Decree of exclusion shall be countersigned by the Prime Minister and by four Ministers, at least two of whom shall be the Minister of Interior and the Minister of Justice.
- f) The King attains his majority upon the completion of his eighteenth year according to the lunar calendar. If the Throne devolves upon a person who is below this age, the powers of the King shall be exercised by a Regent or Council of Regency, who shall have been appointed by a Royal Decree by the reigning King. If the King dies without making such nomination, the Council of Ministers shall appoint the Regent or Council of Regency.
- g) Should the King become unable to exercise his powers on account of illness, his powers shall be exercised by a Vice-regent or Council of Vice-regents. The Vice-regent or Council of Vice-regents shall be appointed by Royal Decree. Should the King be unable to make such appointment, such shall be made by the Council of Ministers.

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<sup>11</sup> Amended in 2011.

- h) Should the King wish to leave the country, he shall, before his departure and by a Royal Decree, appoint a Vice-regent or a Council of Vice-regents to exercise his powers during his absence. The Vice-regent or Council of Vice-regents shall observe any conditions which may be prescribed in the Royal Decree. If the absence of the King is extended to more than four months and the National Assembly is not in session, the Assembly shall be summoned immediately to consider the matter.
- i) Before the Regent or Vice-regent or any member of the Council of Regency or of the council of Vice-regents assumes his office he shall take an oath, as prescribed in Article 29 hereof, before the Council of Ministers.
- j) In the event of the death of the Regent or Vice-regent or member of the Council of Regency or of the Council of Vice-regents, or should he become incapable of performing his duties, the Council of Ministers shall appoint a suitable person to replace him.
- k) A Regent or Vice-regent or member of the Council of Regency or of the Council of Vice-regents shall not be less than thirty years according to the lunar calendar. However, any male relative of the King who has completed his eighteenth year of age according to the lunar calendar may be appointed to any such office.
- l) In the event of the King being incapacitated by any mental illness, the Council of Ministers, on confirmation of his illness, shall immediately convene the National Assembly. Should the illness be definitely confirmed, the National Assembly shall by resolution depose the King, whereupon the Throne shall devolve upon the person entitled thereto after him according to the provisions of this Constitution. If the Chamber of Deputies stands dissolved at the time or if its term had expired and no new Chamber had been elected, the former Chamber of Deputies shall be convened for the purpose.

#### **Article 29 – The King’s oath**

The King shall upon his succession to the Throne take an oath before the National Assembly, which shall be convened under the chairmanship of the Speaker of the Senate, to respect and observe the Constitution and be loyal to the Nation.

#### **Article 30 – Head of the state and immunity**

The King is the Head of the State and is immune from any liability and responsibility.

#### **Article 31 – Ratification of laws**

The King ratifies the laws and promulgates them. He shall direct the enactment of such regulations as may be necessary for their implementation, provided that such regulations are not inconsistent with the provisions thereof.

#### **Article 32 – Commander of the armed forces**

The King is the Supreme Commander of the Land, Naval and Air Forces.

#### **Article 3 – Declaration of war, peace and ratification of treaties**

- i. The King declares war, concludes peace and ratifies treaties.

- ii. Treaties which entail financial commitments on the Treasury or affect the public or private rights of Jordanians shall not be valid unless approved by the National Assembly. In no circumstances shall any secret terms contained in any treaty or agreement be contrary to their overt terms.

#### **Article 34 – Holding elections, inauguration, adjournment, proroguing and dissolution of the Assembly**

- i. The King issues orders for the holding of elections to the Chamber of Deputies in accordance with the provisions of the law.
- ii. The King convenes the National Assembly, inaugurates, adjourns, and prorogues it in accordance with the provisions of the Constitution.
- iii. The King may dissolve the Chamber of Deputies.
- iv. The King may dissolve the Senate or relieve any Senator of his membership.

#### **Article 35 – Appointment and dismissal of the prime minister and of ministers**

The King appoints the Prime Minister and may dismiss him or accept his resignation. He appoints the Ministers; he also dismisses them or accepts their resignation, upon the recommendation of the Prime Minister.

#### **Article 36 – Appointment of the members of the Senate**

The King appoints members of the Senate and appoints the Speaker from amongst them and accepts their resignation.

#### **Article 37 – Medals and currency**

- i. The King creates, confers and withdraws civil and military ranks, medals and honorific titles. He may delegate this authority to any other person by special law.
- ii. Currency shall be minted in the name of the King in pursuance of the law.

#### **Article 38 - Pardons**

The King has the right to grant a special pardon or remit any sentence, but any general pardon shall be determined by special law.

#### **Article 39 – Death penalty**

No death sentence shall be executed except after confirmation by the King. Every such sentence shall be placed before the King by the Council of Ministers accompanied by their opinion thereon.

#### **Article 40 – Royal decrees**

The King shall exercise the powers vested in him by Royal Decree. Every such Decree shall be countersigned by the Prime Minister and the Minister or Ministers concerned. The King expresses his concurrence by placing his signature above the said signatures.



## **B. Section II - Ministers**

### **Article 41 – Composition of the Council of Ministers**

The Council of Ministers shall consist of the Prime Minister, who shall be the President, and of such number of Ministers as may be needed and as public interest may require.

### **Article 42<sup>12</sup> – Prohibition of dual nationality**

No person shall be appointed a Minister unless he/she is a Jordanian not holding a nationality of another state.

### **Article 43 – Ministerial oath**

The Prime Minister and Ministers shall, before assuming their duties, take the following oath before the King:

"I swear by Almighty God to be loyal to the King, uphold the Constitution, serve the Nation and conscientiously perform the duties entrusted to me."

### **Article 4 – Prohibition of doing business with the government**

No Minister may purchase or lease any Government property even if the sale or lease thereof has been offered in public auction. He shall not, while holding his Ministerial office, become a member of the board of directors of any company or take part in any commercial or financial transaction or receive a salary from any company.

### **Article 45<sup>13</sup> – Responsibility of the Council of Ministers**

- i. The Council of Ministers shall be entrusted with the responsibility of administering all affairs of the State, internal and external, with the exception of such matters as are or may be entrusted by the present Constitution or by any other law to any other person or body.
- ii. The duties of the Prime Minister, the Ministers and the Council of Ministers shall be defined by regulations made by the Council of Ministers and ratified by the King.

### **Article 46 – Responsibility over several ministries**

Any Minister may be entrusted with the responsibility of one or more Ministries, as may be stated in the Decree of appointment.

### **Article 47 – Responsibility of individual ministers and of the Prime Minister**

- i. Every Minister shall be responsible for the conduct of all matters pertaining to his Ministry. He shall refer to the Prime Minister any matter not falling within his competence.
- ii. The Prime Minister shall dispose of all matters within his powers and competence and shall refer other matters to the Council of Ministers for such decision as may be necessary.

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<sup>12</sup> Amended in 2011.

<sup>13</sup> Amended in 2011.

#### **Article 48 – Approval and ratification of the Council of Ministers’ decisions**

The Prime Minister and Ministers shall sign the decisions taken by the Council of Ministers, which shall be submitted to the King for ratification in all cases required under the present Constitution or any law or regulations enacted thereunder. Such decisions shall be implemented by the Prime Minister and Ministers, each within the limits of his competence.

#### **Article 49 – Verbal or written orders from the King**

Verbal or written orders of the King shall not release the Ministers from their responsibilities

#### **Article 50<sup>14</sup> – The Prime Minister’s Resignation**

Upon the resignation of the Prime Minister, his dismissal or death, all ministers shall be considered as having automatically resigned.

#### **Article 51 – Collective responsibility**

The Prime Minister and Ministers shall be collectively responsible before the Chamber of Deputies in respect of the public policy of the State. In addition, each Minister shall be responsible before the Chamber of Deputies in respect of the affairs of his Ministry.

#### **Article 52 – Ministers’ voting and speaking rights**

The Prime Minister, or the Minister who is a member of either the Chamber of Deputies or the Senate, shall be entitled to vote in the House to which he belongs and to speak in both Houses. However, Ministers who are not members of either House may speak in both Houses without the right to vote. Ministers or their deputies shall be entitled to precede the rest of the members in addressing both Houses. A minister who receives ministerial salaries shall not, at the same time, receive membership allocations in either House.

#### **Article 53<sup>15</sup> – Vote of confidence in the Council of Ministers**

- i. A session to consider a vote of confidence in the Council of Ministers or in any Minister shall be held either upon a request by the Prime Minister or a request signed by no less than ten members of the Chamber of Deputies.
- ii. A vote of no confidence can be delayed only once for a period no longer than ten days should the competent minister or the Council of Ministers make such a request, in which period the Chamber shall not be dissolved.
- iii. Each composed Cabinet shall submit its ministerial statement to the Chamber of Deputies within one month as of the date of its composition, should the Chamber be in session, and shall request a vote of confidence in connection to such statement.
- iv. Should the Chamber of Deputies not be in session, it shall be called for an extraordinary session in which the Cabinet shall submit its ministerial statement and request a vote of confidence over such statement within one month as of the date of its composition.

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<sup>14</sup> Amended in 2011.

<sup>15</sup> Amended in 2011, paragraphs iv, v and vi were added

- v. Should the Chamber of Deputies be dissolved, the Cabinet must submit its ministerial statement and request a vote of confidence over such statement within one month as of the date of the convention of the new Chamber.
- vi. For the purposes of Paragraphs (i), (iv) and (v) hereof, confidence is granted if the Cabinet secures an absolute majority vote from the members of the Chamber of Deputies.

#### **Article 54 – No confidence votes**

- i. A motion of no-confidence in the Cabinet or a Minister shall be made before the Chamber of Deputies.
- ii. Should the Chamber of Deputies make a no-confidence vote by absolute majority of the total number of its members, the Cabinet must resign.
- iii. Should the no-confidence vote be made against a Minister, such Minister shall step down from his position.

#### **Article 55<sup>16</sup> – Criminal responsibility of ministers**

Ministers shall be tried for crimes attributed to them resulting from the performance of their duties before competent civil courts in the Capital, as per the provisions of the law.

#### **Article 56<sup>17</sup> – Referral of matters to the Attorney General**

The Chamber of Deputies is entitled to refer ministers to the Attorney General, stating the reasons justifying such a referral. The referral's decision should be issued by a majority of the members of the Chamber.

#### **Article 57<sup>18</sup> – Accusation by the Attorney General**

A minister accused by the Attorney General shall be suspended from office after a referral report is issued by the Chamber of Deputies. His/her resignation shall not prevent the institution of criminal proceedings against him/her, or the continuance of his/her trial.

### **CHAPTER FIVE<sup>19</sup> - The Constitutional Court**

#### **Article 58 – The Court's Composition**

- i. A Constitutional court shall be established by a law and based in Amman and shall be deemed an independent and separate judicial body. It shall consist of at least nine members, including the president, all of whom shall be appointed by the King.
- ii. The term of membership in the Constitutional Court shall be six unrenovable years.

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<sup>16</sup> Amended in 2011.

<sup>17</sup> Amended in 2011.

<sup>18</sup> Amended in 2011.

<sup>19</sup> Amended in 2011, Chapter 5 was added

### **Article 59 – The Court’s mandate**

- i. The Constitutional Court shall monitor the Constitutionality of laws and regulations in force and issue its judgments in the name of the King. Its rulings are final and binding on all authorities and al. Its rulings will take effect immediately unless another date is specified by the ruling. The constitutional Court’s rulings will be published in the Official Gazette within fifteen days from the date of issuance.
- ii. The Constitutional Court has the right to interpret the provisions of the Constitution if so requested either by virtue of a decision of the Council of Ministers or by a resolution taken by the Senate or the Chamber of Deputies passed by an absolute majority. Such interpretations shall be effective upon publication in the Official Gazette.

### **Article 60 – Referral of matters to the Court**

Only the following parties have the right to challenge the Constitutionality of laws and regulations in force before the Constitutional Court:

- i. The Senate. The Chamber of Deputies.
- ii. The Council of Ministries.
- iii. In pending cases, any party to the lawsuit may argue that a law is not in conformity with the Constitution. In case the relevant court finds that the plea has merit, it must refer the matter to the court specified by the law for the purposes of examining the referral of such to the Constitutional Court.

### **Article 61 – Membership in the Court**

1. A member of the Constitutional Court shall be required to:

- i. Be a Jordanian having the nationality of no other country.
- ii. Be fifty years of age.
- iii. Have served as a judge in the Court of Casation and the High Court of Justice, be a university professor of law holding the title “Professor”, or be a lawyer who has spent no less than fifteen years in the legal practice, and be a professional who meets the membership requirements of the Senate.

2. The President and members of the Constitutional Court must, before assuming their office, take the following oath before the King:

"I swear by Almighty God to be loyal to the King and to the Country, to uphold the Constitution, to serve the Nation and to conscientiously perform the duties entrusted to me."

3. The law shall set working and administration methods of the Court, procedures for appealing before it, and all relevant matters in relation to it and to its procedures, rulings and decisions. The Court shall exercise its role following the entry into force of its respective law which shall state the rights and immunities of its members.

## **CHAPTER SIX - The Legislative Power**

### **1. The National Assembly**

#### **Article 62 – The Assembly’s composition**

The National Assembly shall consist of two Houses: The Senate and the Chamber of Deputies.

##### **A. Section I - The Senate**

#### **Article 63 – The Senate’s composition**

The Senate, including the Speaker, shall consist of not more than one- half of the number of the members of the Chamber of Deputies.

#### **Article 64 – Requirements to be a Senator**

In addition to the requirements prescribed in Article 75 of the present Constitution, a Senator must have completed forty calendar years of age and must belong to one of the following classes: Present and former Prime Ministers and Ministers, persons who had previously held the office of Ambassador, Minister Plenipotentiary, Speaker of the Chamber of Deputies, President and judges of the Court of Cassation and of the Civil and Sharia Courts of Appeal, retired military officers of the rank of Lt. General and above, former Deputies who were elected at least twice as deputies, and other similar personalities who enjoy the confidence of the people in view of the services rendered by them to the Nation and the Country.

#### **Article 65 – Terms of office**

- i. The term of office of Senators shall be four years. The appointment of members shall be renewed every four years. Senators whose term of office had expired may be reappointed for a further term.
- ii. The term of office of the Speaker of the Senate shall be two years but he may be reappointed.

#### **Article 6 – Simultaneous meetings and sessions, the Senate’s suspension**

- i. The Senate shall meet simultaneously with the Chamber of Deputies and the sessions shall be the same for both Houses.
- ii. If the Chamber of Deputies is dissolved, the sessions of the Senate shall be suspended.

##### **B. Section II - The Chamber of Deputies**

#### **Article 67<sup>20</sup> – Elections and the Independent Committee.**

- i. The Chamber of Deputies shall consist of members elected by secret ballot in a general direct election and in accordance with the provisions of an Electoral Law which shall ensure the following matters and principles:
  - a) The right of candidates to supervise the process of election.

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<sup>20</sup> Amended in 2011, paragraph i was added.

- b) The punishment of any person who may adversely influence the will of voters.
- c) The integrity of the election process at all stages.
- ii. An independent committee shall be established by a law to monitor and administer all the stages of the parliamentary electoral process, and any other elections decided by the Council of Ministers.

#### **Article 68 – Terms of office, General elections**

- i. The term of office of the Chamber of Deputies shall be four calendar years commencing from the date of the announcement of the results of the general elections in the Official Gazette. The King may, by a Royal Decree, prolong the term of the Chamber for a period of not less than one year and not more than two years.
- ii. A general election shall take place during the four months preceding the end of the term of the Chamber. If the election has not taken place by the end of the term of the Chamber or if such election is delayed for any reason, the Chamber shall remain in office until the election of a new Chamber.

#### **Article 69 – Election of the Speaker**

- i. The Chamber of Deputies shall elect its Speaker at the beginning of each ordinary session for a period of one calendar year, but he may be re-elected.
- ii. If the Chamber of Deputies meets in an extraordinary session and has no Speaker, the Chamber shall elect a Speaker for a term of office which shall terminate at the beginning of the ordinary session.

#### **Article 70 – Membership requirements**

In addition to the requirements prescribed in Article 75 of the present Constitution, a deputy must have completed thirty calendar years of his/her age.

#### **Article 71<sup>21</sup> – Judicial oversight of elections**

- i. The Judiciary shall have the right to determine the validity of the election of the members of the Chamber of Deputies. Any district voter shall have the right of appeal to the Court of Appeal whose jurisdiction covers the electoral district of the deputy whose election validity is contested within fifteen days of the announcement of the results of the election in the Official Gazette, stating the grounds for such appeal. The Court's decision shall be final and non-appealable by any method of appeal. Its rulings shall be issued within thirty days from the date of making the appeal.
- ii. The Court shall either dismiss the appeal or accept such in substance, in which case the Court shall declare the name of the winning deputy.
- iii. The Chamber of Deputies shall declare the annulment of the membership of the deputy whose membership has been annulled by the Court, and the name of the winning deputy as of the date of the ruling.
- iv. Actions by the deputy whose membership has been annulled by the Court shall be valid.

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<sup>21</sup> Amended in 2011.

- v. Should the Court realize, upon hearing the appeal made before it, that the election procedures in the district subject of the appeal are not in accordance with the provisions of the law, the Court shall annul the election in such district.

#### **Article 72 – Resignation of a Deputy**

Any deputy may resign his seat by notifying the Speaker of the Chamber of Deputies in writing, and the Speaker shall place the resignation before the Chamber for a decision as to whether the resignation should be accepted or ejected.

#### **Article 73<sup>22</sup> – the Chamber of Deputies’ Dissolution**

- i. If the Chamber of Deputies is dissolved, a general election shall be held, and the new Chamber shall convene in an extraordinary session not later than four months from the date of dissolution. Such session shall be deemed to be an ordinary session in accordance with the provisions of Article 78 of the present Constitution and shall be subject of the conditions prescribed therein in respect of prolongation or adjournment.
- ii. If no elections have taken place by the end of the four months, the dissolved Chamber shall assume its full Constitutional powers and assemble forthwith as if its dissolution had not taken place. It shall remain in office until the election of a new Chamber.
- iii. Such extraordinary session shall not in any event continue after the 30th day of September and shall be prorogued on that date so that the Chamber may be able to hold its first ordinary session on the first day of October. If such extraordinary session happens to be held during October and November, it shall be considered as the first ordinary session of the Chamber of Deputies.

#### **Article 74<sup>23</sup> – Impact of the Chamber’s dissolution**

- i. If the Chamber of Deputies is dissolved for any reason, the new Chamber shall not be dissolved for the same reason.
- ii. The government, during whose term the Chamber of Deputies is dissolved, shall resign within one week of the dissolution date. The head of such government may not be assigned to form the next.
- iii. A minister wishing to run for the elections must resign at least sixty days before the election date.

### **C. Section III - Provisions Governing Both Houses**

#### **Article 75<sup>24</sup> – Membership conditions**

- i. No person shall become a Senator or Deputy:
  - a) Who is not a Jordanian.
  - b) Who holds a foreign nationality.
  - c) Who was adjudged bankrupt and has not been rehabilitated.
  - d) Who was interdicted and the interdiction has not been removed.

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<sup>22</sup> Amended in 2011, paragraphs i, iv and v were deleted

<sup>23</sup> Amended in 2011.

<sup>24</sup> Amended in 2011.

- e) Who was sentenced to a term of imprisonment exceeding one year for a non- political offence and has not been pardoned.
  - f) Who is insane or an imbecile.
  - g) Who is related to the King within a degree of consanguinity to be prescribed by a special law.
- ii. Each member of the Senate and Chamber of Deputies shall be prohibited, during his/her membership, from contracting with the government, official public organization, or public companies owned or controlled by the Government or any official public organization, be such contract direct or indirect, with the exception of land and property rental, and of shareholders in a company with more than ten members.
- iii. Should any Senator or Deputy become disqualified according to paragraph 1 of this Article during the term of office or should it appear after election that he/she lacks one or more of the qualifications or contravenes paragraph 2 of this Article, his/her membership shall, by a resolution of two-thirds of the members of the Senate or Chamber of Deputies, be revoked and his/her seat declared vacant, provided that such a resolution, if passed by the Senate, is submitted to the King for ratification.

#### **Article 76 – Prohibition against holding public office**

Subject to the provisions of Article 52 of the present Constitution, no person shall be allowed to be a member of either the Chamber of Deputies or the Senate and a holder of a public office at the same time. Public office means every office whose holder receives his salary from public funds; it includes municipal offices. Similarly, no person shall be allowed to be a member of both the Chamber of Deputies and the Senate.

#### **Article 7 – Ordinary sessions**

Subject to the provisions of the present Constitution relating to the dissolution of the Chamber of Deputies, the National Assembly shall hold one ordinary session during each year of its term.

#### **Article 78<sup>25</sup> – The King’s summons**

- i. The King shall summon the National Assembly to an ordinary session on the first day of October of each year or, if that day is an official holiday, on the first day following the official holiday, provided that the King may, by Royal Decree published in the Official Gazette, postpone for a period not exceeding two months the meeting of the Assembly to a date to be fixed by the Royal Decree.
- ii. If the National Assembly is not summoned in accordance with the preceding paragraph, it shall meet of its own motion as if it was so summoned.
- iii. The ordinary session of the National Assembly shall begin on the date upon which it was summoned to meet in accordance with the two preceding paragraphs, and shall last for four months unless the Chamber of Deputies is dissolved by the King before the expiration of that period. The session may be prolonged by the King for a further period not exceeding three months to allow for the dispatch of pending matters. At the Prohibited Mobbing Boggling

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<sup>25</sup> Amended in 2011.



exploitation expiration of the six months or any such prolongation thereof, the King shall prorogue the Assembly.

#### **Article 79 – Inauguration of the ordinary session**

The King shall inaugurate the ordinary session of the National Assembly by a Speech from the Throne addressed to a joint meeting of the Senate and the Chamber of Deputies. He may deputize the Prime Minister or any of the Ministers to perform the inauguration ceremony and deliver the Speech from the Throne. Each of the two Houses shall submit a petition which shall contain its Reply thereto.

#### **Article 80 – Oath**

Every Senator and Deputy shall, before taking his seat, take an oath before his House in the following terms:

"I swear by Almighty God to be loyal to the King and to the Country, uphold the Constitution, serve the Nation and conscientiously perform the duties entrusted to me."

#### **Article 81 – Adjournment of the Assembly's Sessions**

- i. The King may by Royal Decree adjourn the session of the National Assembly for not more than three times, or two times only if He had postponed the meeting of the National Assembly under paragraph (i) of Article 78, provided that during any one session the period of such postponement shall not exceed two months in the aggregate, including the period of postponement. In computing the term of the session, the periods covered by any such adjournment shall not be
- ii. The Senate and the Chamber of Deputies may adjourn their session from time to time in conformity with their own Internal Regulations.

#### **Article 82 – Summoning the National Assembly**

- i. The King may whenever necessary summon the National Assembly to meet in an extraordinary session for an unspecified period for the purpose of deciding matters to be specified in the Royal Decree when the summons are issued. An extraordinary session shall be prorogued by a Royal Decree.
- ii. The King may summon the National Assembly to meet in an extraordinary session at the request of an absolute majority of the deputies. Such request shall be contained in a petition specifying the matters which it is desired to discuss.
- iii. The National Assembly shall not discuss in any extraordinary session except such matters as are specified in the Royal Decree convening the session.

#### **Article 83 – Internal Regulations**

The Senate and the Chamber of Deputies shall each make its Internal Regulations for the control and organization of its own proceedings and shall submit such Orders to the King for ratification.

#### **Article 84<sup>26</sup> – Quorum and voting requirements**

- i. No meeting of either House shall be considered duly constituted unless attended by the absolute majority of members of either House, and shall continue to be valid as long as this majority of the members of either House is present.
- ii. Resolutions by each of the two Houses shall be taken by a majority of votes of the members present, excluding the Speaker, who shall not vote except where it is otherwise provided in the present Constitution. In the case of equality of votes the Speaker shall have a casting vote.
- iii. If the voting is related to the Constitution or to a motion of no confidence in the Council of Ministers or in a particular Minister, the votes shall be taken by calling the names of members in a loud voice.

#### **Article 85 – Public Session**

The meetings of both the Senate and the Chamber of Deputies shall be public. Secret meetings may, however, be convened at the request of the Government or of five Senators or Deputies. If such a request is made, the Senate or Chamber of Deputies shall decide whether it should be accepted or ejected.

#### **Article 86 – Detention of members**

No Senator or Deputy may be detained or tried during the currency of the sessions of the National Assembly unless the House to which he belongs decides by an absolute majority that there is sufficient reason for his detention or trial or unless he was arrested *flagrant delicto*. In the event of his arrest in this manner, the House to which he belongs shall be notified immediately.

- i. If a member is detained for any reason while the National Assembly is not sitting, the Prime Minister shall notify the Senate or the Chamber of Deputies when it reassembles of the proceedings which were taken against him, coupled with the necessary explanation.

#### **Article 87 – Immunity**

Every Senator or Deputy shall have complete freedom of speech and expression of opinion within the limits of the Internal Regulations of the Senate or Chamber of Deputies, as the case may be, and shall not be answerable in respect of any vote which he had cast or opinion expressed or speech made by him during the meetings of the House.

#### **Article 88<sup>27</sup> – Death or Resignation of Members**

When a seat becomes vacant in the Senate or in the Chamber of Deputies due to death or resignation or any other reason except for anyone whose membership is annulled by a judicial decision, the relevant House must notify the Government or the Independent Election Commission should such member be a Deputy to such effect within thirty days from the date of vacancy, which vacancy shall be filled by appointment in case of a Senator or as per the provisions of the Electoral Law in case of a Deputy within a period of two months from the date on which the House notifies of such vacancy. The term of the new member shall be for the end of the term of the House.

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<sup>26</sup> Amended in 2011.

<sup>27</sup> Amended in 2011.

### **Article 89<sup>28</sup> – Joint Meetings**

- i. In addition to the circumstances under which the Senate and the Chamber of Deputies may hold a joint meeting as prescribed in Articles (29), (34), (79) and (92) of the present Constitution, both Houses shall hold a joint meeting at the request of the Prime Minister.
- ii. When the Senate and the Chamber of Deputies hold a joint meeting, the meeting shall be presided over by the Speaker of the Senate.
- iii. A joint meeting of the Senate and the Chamber of Deputies shall not be considered properly constituted unless an absolute majority of the members of each House is present. Resolutions at such a meeting shall be taken by a majority of the Senators and Deputies present, exclusive of the Speaker who, in case of equality of votes, shall have a casting vote.

### **Article 90 – Removal of Members**

No Senator or Deputy may be removed from his office except by a resolution of the House to which he belongs, provided that, other than the case of disqualification and combination of offices as prescribed in this Constitution and in the Electoral Law, the resolution to remove a Senator or Deputy must be taken by a two-thirds majority of the House. If the resolution of removal concerns a Senator, the resolution must be submitted to the King for ratification.

### **Article 91 – Referral of draft laws by the Prime Minister**

The Prime Minister shall refer to the Chamber of Deputies any draft law, and the Chamber shall be entitled to accept, amend, or reject the draft law, but in all cases the Chamber shall refer the draft law to the Senate. No law may be promulgated unless passed by both the Senate and the Chamber of Deputies and ratified by the King.

### **Article 92 – Procedure in case a bill is accepted by one house and rejected by the other**

Should either House twice reject any draft law and the other accept it, whether or not amended, both the Senate and the Chamber shall hold a joint meeting under the chairmanship of the Speaker of the Senate to discuss the matters in dispute. Acceptance of the draft law shall be conditional upon the passing of a resolution by a two-thirds majority of the members of both Houses present. If the draft law is rejected as described above, it shall not be placed again before the House during the same session.

### **Article 93 – Ratification and promulgation of laws**

- i. Every draft law passed by the Senate and the Chamber of Deputies shall be submitted to the King for ratification.
- ii. A law shall come into force after its promulgation by the King and the lapse of thirty days from the date of its publication in the Official Gazette unless it is specifically provided in that law that it shall come into force on any other date.
- iii. If the King does not see fit to ratify a law, He may, within six months from the date on which the law was submitted to him, refer it back to the House coupled with a statement showing the reasons for withholding his ratification.

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<sup>28</sup> Amended in 2011.

- iv. If any draft law (other than the Constitution) is referred back within the period specified in the preceding paragraph and is passed for the second time by two-thirds of the members of each of the Senate and the Chamber of Deputies, it shall be promulgated. If the law is not returned with the Royal ratification within the period prescribed in paragraph (i) above, it shall be considered as promulgated and effective. If any draft law fails to obtain the two-thirds majority of votes, it cannot be reconsidered during the same session, provided that the National Assembly may reconsider the draft during its next ordinary session.

#### **Article 94<sup>29</sup> – Provisional laws**

- i. In cases where the National Assembly is dissolved, the Council of Ministers has, with the approval of the King, the power to issue provisional laws to face the following emergencies:
  - a) General disasters.
  - b) State of war and emergencies.
  - c) The need for urgent expenditures incapable of postponement.

Such provisional laws, which shall not be contrary to the provisions of the Constitution, shall have the force of law, provided that they are placed before the Assembly in its first session. Within two consecutive ordinary sessions, the Assembly may approve or amend such laws. In the event of the rejection of such provisional laws, the Council of Ministers shall, with the approval of the King, immediately declare their nullity, and from the date of such declaration these provisional laws shall cease to have force provided that such nullity shall not affect any contracts or acquired rights.

- ii. Provisional laws shall have the same force and effect as laws enacted in accordance with Article 93 of this Constitution.

#### **Article 95 – Proposal of legislation**

- i. Any ten or more Senators or Deputies may propose any law. Such proposal shall be referred to the committee concerned in the House for its views. If the House is of the opinion that the proposal be accepted it shall refer it to the Government for drafting it in the form of draft law, and to submit it to the House either during the same session or at the following session.
- ii. Any law proposed by Senators or Deputies in accordance with the preceding paragraph and rejected by either House shall not be presented for a second time during the same session.

#### **Article 96 – Questions and Interpellations**

Any Senator or Deputy may address questions or interpellations to the Ministers concerning any public matters, in accordance with the provisions of the Internal Regulations of the Senate or the House (as the case may be). No interpellation may be debated before the lapse of eight days from the date of its receipt by the Minister, unless the case is of an urgent nature and the Minister agrees to shorten this period.

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<sup>29</sup> Amended in 2011.

## **CHAPTER SEVEN - The Judiciary**

### **Article 97 – Judicial independence**

Judges are independent, and in the exercise of their judicial functions they are subject to no authority other than that of the law.

### **Article 98<sup>30</sup> – Judicial Appointments**

- i. Judges of the Civil and Sharia Courts shall be appointed and dismissed by a Royal Decree in accordance with the provisions of the law.
- ii. A Judicial Council responsible for matters related to civil judges shall be established by a law.
- iii. Without prejudice to Paragraph (i) hereof, the Judicial Council shall have the sole right to appoint civil judges as per the provisions of the law.

### **Article 99 – Categories of courts**

The courts shall be divided into three categories:

- a) Civil Courts
- b) Religious Courts
- c) Special Courts

### **Article 100<sup>31</sup> – Establishment of Courts**

The establishment of the various courts, their categories, their divisions, their jurisdiction and their administration shall be by virtue of a special law, provided that such law provides for the establishment of an administrative judiciary that should be at two levels.

### **Article 101<sup>32</sup> – Judicial independence, trial before civilian courts, public hearings and due process**

- i. The courts shall be open to all and shall be free from any interference in their affairs.
- ii. A civilian may not be tried in a criminal case before a court which is not entirely composed of civilian judges, with the exception of crimes of treason, espionage, terrorism, drugs and money counterfeiting.
- iii. Courts' hearings shall be public unless the court decides that they should be secret in the interest of public order or morals. In all cases, the verdict shall be pronounced during a public session.
- iv. The accused is innocent until proven guilty.

### **Article 102 – Jurisdiction of the civil courts**

The Civil Courts in the Hashemite Kingdom of Jordan shall have jurisdiction over all persons in all matters, civil and criminal, including cases brought by or against the Government, except those matters in respect of which jurisdiction is vested in Religious or Special Courts in accordance with the provisions of the present Constitution or any other legislation in force.

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<sup>30</sup> Amended in 2011, paragraphs ii and iii were added.

<sup>31</sup> Amended in 2011.

<sup>32</sup> Amended in 2011.

### **Article 103 – Exercise of the civil courts’ jurisdiction, Personal Status**

- i. The Civil Courts shall exercise their jurisdiction in respect of civil and criminal matters in accordance with the law for the time being in force in the Kingdom, provided that in matters affecting the personal status of foreigners or in matters of a civil or commercial nature which in accordance with international usage are governed by the law of another country, such law shall be applied in the manner designated by the law.
- ii. Matters of personal status are those which are defined by law and in accordance therewith fall within the exclusive jurisdiction of the Sharia Courts where the parties are Muslim.

### **Article 104 – Composition of the religious courts**

The Religious Courts shall be divided into:

- a) The Sharia Courts
- b) The Tribunals of other Religious Communities

### **Article 105 – Jurisdiction of the Sharia courts**

The Sharia Courts shall in accordance with their own laws have exclusive jurisdiction in respect of the following matters:

- a) Matters of personal status of Muslims.
- b) Cases concerning blood money (Diyā) where the two parties are Muslims or where one of the parties is not a Muslim and the two parties consent to the jurisdiction of the Sharia Courts.
- c) Matters pertaining to Islamic endowments.

### **Article 106 – Application of Sharia**

The Sharia Courts shall in the exercise of their jurisdiction apply the provisions of the Sharia law.

### **Article 107 – Muslim Endowments**

The organization of the affairs of Muslim endowments and the administration of their financial matters, among other matters, shall be regulated by a special law.

### **Article 108 – Tribunals of Religious Communities**

The Tribunals of Religious Communities are those for the non-Muslim religious communities which have been or will be recognized by the Government as established in the Hashemite Kingdom of Jordan.

### **Article 109<sup>33</sup> – Establishment of Tribunals of Religious Communities**

- i. Tribunals of Religious Communities shall be established in conformity with the provisions of laws pertaining thereto. Such laws shall define the jurisdiction of such Tribunals in matters of personal status and endowments constituted for the benefit of the community concerned. Matters

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<sup>33</sup> Amended in 2011.

of personal status of any such community shall be the same matters as are, in the case of Muslims, within the jurisdiction of the Sharia Courts.

- ii. Such laws shall determine the procedures to be followed by the Tribunals of the Religious Communities in the trials they hold and the requirements of appointing their judges.

#### **Article 110 – Special courts**

Special Courts shall exercise their jurisdiction in accordance with the provisions of the laws constituting them.

### **CHAPTER EIGHT- Financial Matters**

#### **Article 111 – Taxes and Duties**

No tax or duty may be imposed except by law. Taxes and duties shall not include the various kinds of fees which the Treasury charges in respect of services rendered to members of the public by Government Departments or in consideration of benefits accruing to them from the State Domain. In imposing taxes, the Government shall be guided by the principles of progressive taxation, coupled with the attainment of equality and social justice, provided that taxation shall not exceed the capacity of tax-payers or the State's requirements for funds.

#### **Article 112<sup>34</sup> – Draft General Budget law**

- i. The draft law on the General Budget and the draft law on budgets of governmental units shall be submitted to the National Assembly for consideration in accordance with the provisions of the Constitution at least one month before the beginning of the financial year, both of which shall be subject to the same provisions in relation with the budget in the present Constitution. The Government shall submit the closing accounts at the end of six months following the end of the previous financial year.
- ii. Voting in respect of the budget shall take place on each chapter separately.
- iii. No sum falling within the expenditure section of the General Budget may be transferred from one chapter to another except by law.
- iv. The National Assembly, when debating the General Budget draft law or the provisional laws relating thereto, may reduce the expenditures under the various chapters in accordance with what it considers to be in the public interest, but it shall not increase such expenditures either by amendment or by the submission of a separate proposal. However, the Assembly may after the close of the debate propose laws for the creation of new expenditures.
- v. During the debate of the General Budget, no proposal shall be accepted for the abrogation of an existing tax or the creation of a new one or the amendment, whether by increase or reduction, of existing taxes which are prescribed by financial laws in force, and no proposal shall be accepted for amending expenditures or revenues fixed by contract.
- vi. The national revenues and expenditures estimated for each financial year shall be approved by the General Budget Law, provided that said Law may provide for the allocation of any special sums for a period exceeding one year.

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<sup>34</sup> Amended in 2011.

### **Article 113 - Impact of the failure to pass a General Budget Law**

If it is not possible to enact the General Budget Law prior to the beginning of the new financial year, expenditures shall continue by monthly appropriations at the rate of 1/12th of each month of the previous year's budget.

### **Article 114 – Appropriations and Expenditure of public funds**

The Council of Ministers may, with the approval of the King, issue regulations for the control of appropriations and expenditures of the public funds and the organization of Government stores.

### **Article 115 – Taxes receipts and other revenue**

All receipts from taxes and other sources of Government revenue shall be paid into the Treasury and shall be included in the Government budget save where otherwise provided by law. No part of the funds of the Treasury may be appropriated or expended for any purpose whatever except under the law.

### **Article 116 – Civil List**

The Civil List of the King shall be paid from the General Revenue and shall be fixed in the General Budget Law.

### **Article 117 – Exploitation of Minerals**

Any concession granting a right for the exploitation of mines, minerals or public utilities shall be sanctioned by law.

### **Article 118 – Exemption from the obligation to pay taxes**

No person shall be exempt from the payment of taxes or duties in circumstances other than those prescribed by law.

### **Article 119<sup>35</sup> – Supreme Audit Institution**

An Audit Bureau shall be set up by law for controlling the State's revenues, its expenses and the manner of expenditure:

- i. The Audit Bureau shall submit to the Senate and Chamber of Deputies at the beginning of each ordinary session, or whenever any of the two chambers demands, a general report embodying its views and comments and indicating any irregularities committed and the responsibility arising there from.
- ii. The law shall provide for the immunity of the Head of the Audit Bureau.

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<sup>35</sup> Amended in 2011.



## **CHAPTER NINE - General Provisions**

### **Article 120 – Organization of the State’s Administration**

The administrative divisions of the Hashemite Kingdom of Jordan, the establishment of the Government Departments, their classification, designations, the plan of operations and the manner of the appointment of civil servants, their dismissal, their discipline, supervision and the limits of their competence and powers shall be determined by regulations issued by the Council of Ministers with the approval of the King.

### **Article 121 – Municipal and Local Councils’ Affairs**

Municipal and local councils’ affairs shall be administered by municipal or local councils in accordance with special laws.

### **Article 122<sup>36</sup> – High Tribunal**

- i. A High Tribunal shall be composed of the Speaker of the Senate as President and eight members, three of whom shall be selected by ballot by the Senate from amongst its members and five members to be selected from amongst the judges of the highest Civil Court in order of seniority. In case of necessity, the number shall be completed from the presidents of the lower courts, also in order of seniority.
- ii. The High Tribunal shall have the right to interpret the provisions of the Constitution if so requested either by virtue of a decision of the Council of Ministers or by a resolution taken by the Senate or the Chamber of Deputies passed by absolute majority. Such interpretation shall be implemented upon its publication in the Official Gazette.
- iii. Article 12 of this Constitution shall be deemed void once the Constitutional Court’s law comes into effect.

### **Article 123 – Special Bureau**

- i. The Special Bureau (Diwan Khas) may interpret the provisions of any law which have not been interpreted by the courts if so requested by the Prime Minister.
- ii. The Special Bureau shall consist of the President of the highest Civil Court as chairman, two of its judges and one senior administrative official, who shall be appointed by the Council of Ministers, as members. It shall also include a member delegated by the Minister concerned from among the senior officials of the Ministry which is involved in the needed interpretation.
- iii. The Special Bureau shall give its decisions by a majority of votes.
- iv. Decisions given by the Special Bureau and published in the Official Gazette shall have the force of law.
- v. All other matters concerning the interpretation of laws shall be decided as they arise by the courts of law in the usual course.

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<sup>36</sup> Amended in 2011.

#### **Article 124 – Defense Law**

In the event of an emergency necessitating the defense of the Kingdom, a law, which shall be known as the Defense Law, shall be enacted giving power to the person specified therein to take such actions and measures as may be necessary, including the suspension of the operation of the ordinary laws of the State, with a view to ensuring the defense of the Kingdom. The Defense Law shall come into force upon its proclamation by a Royal Decree to be issued on the basis of a decision of the Council of Ministers.

#### **Article 125 – Martial Law**

- i. In the event of an emergency of such a serious nature that action under the preceding Article of the present Constitution will be considered insufficient for the defense of the Kingdom, the King may by a Royal Decree, based on a decision of the Council of Ministers, declare martial law in the whole or any part of the Kingdom.
- ii. When martial law is declared, the King may by a decree issue such orders as may be necessary for the defense of the Kingdom, notwithstanding the provisions of any law in force. Persons charged with the implementation of such orders shall continue to be subject to legal liability for all acts committed by them under the provisions of any such laws until they are relieved of such responsibility by a special law to be enacted for the purpose.

#### **Article 126 – The Constitution’s Amendment**

- i. The procedure prescribed in the present Constitution with regard to draft laws shall apply to any draft law for the amendment of this Constitution, provided that any such amendment is passed by a two-thirds majority of the members of each of the Senate and the Chamber of Deputies. In the event of a joint meeting of the Senate and the Chamber of Deputies in accordance with Article 92 of this Constitution, the shall be passed by a two-thirds majority of the members of both Houses, provided that in both cases the amendment shall not come into force unless ratified by the King.
- ii. No amendment of the Constitution affecting the rights of the King and the succession to the Throne may be passed during the period of Regency.

#### **Article 127 – The Army’s Duties, Recruitment and the Organization of the Police**

The duties of the Army shall be confined to the defence of the Kingdom and its safety.

- i. Recruitment to the Army, its organization and the rights and duties of its personnel shall be defined by law.
- ii. The organization of the police and gendarmerie, including their powers, shall be defined by law.

### **CHAPTER TEN - Enforcement and Repeal of Laws**

#### **Article 128<sup>37</sup> – Substance of Rights and Freedoms, Legal Continuity**

- i. The laws issued by virtue of this Constitution to regulate the rights and freedoms shall not impair the substance of these rights or affect their fundamentals.

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<sup>37</sup> Amended in 2011.

- ii. All laws, regulations and other legislative acts in force in the Hashemite Kingdom of Jordan on the date on which this Constitution comes into force shall continue to be in force until they are repealed or amended by the legislation issued thereunder within a maximum of three years.

#### **Article 129 – Repeal of Previous Constitutions**

- i. The Constitution of Jordan issued on the 7th December, 1946, together with all amendments thereto, are hereby repealed.
- ii. The Palestine Order-in-Council for the Year 1922 and the amendments thereto are hereby repealed.
- iii. The repeals referred to in the preceding two paragraphs shall not affect the validity of any law or regulation made or act done thereunder prior to the coming into force of the provisions of the present Constitution.

#### **Article 130 – Coming into Force**

The provisions of the present Constitution shall come into force on the date of its publication in the Official Gazette.

#### **Article 131 – The Constitution’s Enforcement**

The Council of Ministers shall be charged with the enforcement of the provisions of the present Constitution