

**The Provisional Law of Audio and Visual Media No. 71 of 2002,
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Article (1)

This law shall be known and may be cited as the “Audio and Visual Media Law for the year 2002”, and shall come into force as of the date of its publication in the Official Gazette.

Article (2)

The following words and expressions shall, unless repugnant to the meaning thereof, have the meaning hereinafter respectively assigned to them:

The Minister:	The Minister of Information
The Commission	The Audio and Visual Media Commission, established under the provisions of this law.
The Director:	The Director General of the Commission.
The Person	The natural person or juristic person.
The Audio and Visual Media:	Any TV or Radio broadcasting reaches to public or certain groups thereof, in the form of signals, pictures, sounds or writings of any sort that differs from private correspondences via Channels, waves, transmitters and networks as well as other media techniques, means and ways of transmission and broadcasting.
Broadcasting:	Transmitting Radio and TV Works and Programs through Electromagnetic Waves or via Satellite or other techniques or means of any sort or nature received by the public through all technical facilities of various descriptions, excluding the international information network (Internet)
The Programs:	Radio or TV Services or any part thereof transmitted by the licensee to the public.
Re-broadcasting:	Re-broadcasting Radio or TV works and programs in whole or in part without any change so as to be received by public.
Frequency:	The electromagnetic waves band transmitted in space and used in broadcasting and re broadcasting works.
Broadcasting License:	The authorization granted to the licensee to establish a broadcasting station and operate it according to a contract or agreement governing the relation between both of them.

Licensee	The person who obtained a broadcasting license according to the provision of this law.
License Agreement:	The contract or agreement signed between the commission and the licensee governing the relation between them and defining the rights and obligations of each.
Recorded Material:	Any visual or audible item or both, recorded on any sort of technical means such as tapes, records, compact and digital disks as well as others
Circulation of Recorded Material	Enabling others to benefit from the Recorded Material through display, sale, rental or distribution in whole or in part, against a certain charge or free of charge.
Public Place	Any place, premise, square, road or other visited by the public or opened for them at any time without restrictions, or limited by specific time periods, with or without charge, or occupied by public for any meeting or celebration
Show Room	Any public place where Recorded Materials are circulated.
Authorization of Recorded Material	The authorization issued by the commission allowing the circulation of a certain Recorded Material within specified conditions
Circulation license	The authorization issued by the commission allowing the person to practice the business of circulation of Recorded Material according to the provisions of this law.

The Commission and its Duties

Article 3:

- a) A Commission with the name of the “The Audio and Visual Commission” is to be established, and shall enjoy a financial and administrative independent juristic personality, and may, as such, execute and carry out all legal activities and conclude contracts, including the right to litigate, and the right to acquire and invest movable and immovable assets; and also the right to accept grants, subsidies, donations, and undertake legal proceedings and depute for this purpose the Civil Attorney General or any other attorney to act on its behalf.
- b) The Commission shall be financially and administratively under the jurisdiction of the Minister.
- c) The headquarter of the Commission shall be situated in Amman, and it may establish branches and open offices inside and outside the Kingdom

Article 4:

The Commission shall assume the responsibilities hereunder:

- a) Developing and regulating the Audio and Visual Media Sector in the kingdom, and working on the creation of an investment atmosphere therein.
- b) Studying license applications.
- c) Monitoring the activities and work of the licensees.
- d) Approving the Recorded Materials and granting the licenses required for their display and circulation places according to the provisions of this law and the regulations issued pursuant thereto.
- e) Approving the offices of Radio and TV Station's correspondents under a special regulation, issued for this purpose.
- f) Licensing the technical equipment and apparatus used for Radio and TV broadcasting in coordination with the Telecommunications Regulatory Commission (TRC).

Article 5:

The Commission shall adhere to the framework determined by the TRC in the following domains:

- a) Allocating and licensing of frequency required for broadcasting in and outside the Kingdom.
- b) Implementing the technical rules for the equipment used for broadcasting
- c) Stations in line with the criteria of the international bodies and agencies, and in accordance with the respective international obligations of the Kingdom.
- d) Granting permits to allow the entrance of technical equipment required for broadcasting and re-broadcasting, and monitoring the use of the equipment thereof.
- e) Using the allocated frequency band(s) and monitoring the licensee's adherence to the geographical sphere allocated for broadcasting and re-broadcasting.
- f) Licensing the telecommunications networks that are defined in the applicable Telecommunications Law, and required for the party submitting the application of license.

Article 6-

- a) The Commission shall consist of:
 1. The Director
 2. The Executive organ
- b) The Director shall be appointed by a resolution of the Council of Ministers, based on the recommendation of the Minister, provided that the resolution thereof specifies the salary and all financial rights of the Director. The termination of service shall be determined following the appointment procedure.
- c) The Director so appointed shall, before acting, take the following oath of office before the Minister:

"I, hereby, swear - by God Almighty - fidelity to the King and Homeland, and obedience to the laws and applicable regulations, and perform the powers and duties vested in me with honour, integrity and sincerity.
- d) The Director shall be the head of the Executive Organ of the Commission, and shall represent the executive organ before others, and may depute some of his/her powers to any of the Commission's officials, provided it the delegation of powers is in writing and specific.

- e) The Executive Organ of the Commission shall consist of officers and employees whose appointment, employment conditions, remunerations, allowances, bonuses, rights, responsibilities and all other relevant matters shall be defined by virtue of a regulation that shall be issued to this effect.

Article 7:

The Director of the Commission must meet the conditions hereunder:

- a) Has Jordanian citizenship
- b) Hold a university degree.
- c) Has adequate experience and competent in the field of media.
- d) Has not been convicted of a crime or misdemeanour violating honour or morality.

Article 8:

The Director shall be responsible before the Minister for the activities and operations of the Commission, and shall assume the following duties and responsibilities:

- a) Follow up the execution of the General Media Policy and the national plans thereof.
- b) Manage the Commission and supervising its affairs
- c) Coordinate with the relevant authorities to assist the Commission discharge its duties.
- d) Make recommendations to the Minister on the granting, renewal, modification and cancelation of broadcasting licenses according to the provisions of this law and the regulations issued pursuant thereto, in accordance with the national plans developed for media.
- e) Sign the contracts and agreements concluded by the Commission with others including the licensing agreements.
- f) Authorize the Recorded Materials, be they produced locally or imported from outside the country, for the purpose of circulation and granting the licenses required for their circulation and show rooms.
- g) Prepare the draft version of the budget and final accounts of the Commission, and submit it to the Minister to be presented afterwards to the Council of Ministers for ratification.
- h) Propose the charges and fees that the Commission shall for its services, and the Council of Ministers shall approve, upon the recommendation of the Minister, the charges thereof.
- i) Take the proper actions to coerce the licensees to comply with the licensing terms and conditions and adhere to the Audio and Visual Media General Policy.
- j) Investigate the received complaints from the public against the licensees, and take the appropriate actions and measures to this effect.
- k) Investigate complaints, except those related to financial disputes, submitted by a licensee against another, or by a licensee in the Audio and Visual Media sector against another in the telecommunications sector, or vice versa; and accordingly take the required procedures and the appropriate decisions, in coordination with the competent authorities.
- l) Issue the instructions of programs, advertisements and commercials.
- m) Perform any duty or task assigned by the Minister and relevant to the implementation of the provisions of the law hereof.

Article 9:

- a) The Director and the Senior Executives of the Commission, including their spouses, immediate family members and second degree relatives, may not benefit, neither directly

- nor indirectly, from any investment made in the Audio and Visual Media Sector during the term of their service with the Commission.
- b) The Director shall, prior to the commencement of work, submit in writing a statement to the Minister stating that neither him/her nor his/her spouse nor any of his/her immediate family members and second degree relatives, has any benefit in the Audio and Visual Media Sector, and he/she shall, subject to legal responsibility, inform the Minister of any benefit as such arising or may arise during the term of his/her service. The senior executives of the Commission are obliged to submit the statement thereof to the Director.
 - c) The breach of the provision of clauses (a) and (b) of this article, by the Director or any of the Senior Executives, shall result in prosecution for the crime of exploitation of position or the offence of breach of trust, and responsible person shall assume liabilities of compensation for damages incurred thereof, and is obliged to return all the benefits attained from breach of these clauses.

The Commission Resources

Article 10:

The financial resources of the Commission consist of:

- a) The annual funds allocated for the Commission in the General Budget.
- b) Subject to the approval of the Council of Ministers, the Commission may receive any donations, gratuities, grants or any other resources.

Article 11:

- a) The Commission shall have its own independent budget, and the Council of Ministers shall approve and ratify its final accounts upon the recommendation of the Minister.
- b) The fiscal year of the Commission shall commence on January 1 and end on December 30 of each year, provided that the first fiscal year to commence as of the date of establishing the Commission and end on December 31 of the same year.

Article 12:

All the returns, including license applications fees, license renewal or modification fees, fines imposed by virtue of the provisions of this law, and fees paid for services provided by the Commission, shall be considered as revenues to the Public Treasury.

Article 13:

- a) The Commission shall enjoy the exemptions and facilities granted for Ministries and governmental departments.
- b) The accounts of the Commission shall be subject to the audit and monitoring of the Audit Bureau, and the Commission may appoint a certified auditor for this purpose, if necessary.

Article 14:

The Commission's funds and rights due from others are considered as Public Funds, collected pursuant to the provisions of the effective Public Funds Collection Law, and the Director and or any other person deputed in writing by the Director, shall, to this effect, exercise all the powers

vested in the Administrative Governor and the Public Funds Collection Committee, specified in the law thereof.

Article 15:

It is prohibited for any person to broadcast anything except after obtaining a broadcasting license, issued in accordance with the provisions of this law.

Article 16:

- a) The right to submit an application for a broadcasting license shall be restricted to the juristic person only.
- b) The application for a broadcasting license shall be submitted to the Commission using the form made specifically for this purpose. The documents hereunder must be attached to the application:
 1. The application fees receipt.
 2. The technical plans and a detailed account proving the technical and administrative capacity as well as the previous relevant experience of the applicant.
 3. A detailed account proving the applicant's financial capacity and sources of funds available.
 4. The services to be provided and the target geographical area to be covered and the technology used in providing these services.
 5. The applicant's registration number and date.
 6. List of shareholders or partners owning more than 5% of the applicant's capital, and the share of each one of them.
 7. Name of the authorized signatory of the applicant.
 8. Any other information, data or documents required by the Commission.
- c)
 1. The Director shall send his/her recommendation to the Minister, within thirty days from the date of receiving the recommendation, for treating the completed application as approved or rejected.
 2. The Council of Ministers shall make a decision on the application within sixty days after the recommendation is received.

Article 17:

The person applying for a broadcasting license shall:

- a) Not be, nor any of the key partners or shareholders, adjudicated in bankruptcy
- b) Submit a performance bond according to the conditions for granting the License.

Broadcasting License

Article 18:

- a) The Council of Ministers may, upon the recommendation of the Minister which is based on the Director's recommendation, approve the granting, renewal, modifying or cancellation of broadcasting license, pursuant to the provisions of this law and the regulations issued pursuant thereto, and in line with the national plans determined for information.
- b) The Council of Ministers may refuse to grant broadcasting licenses to any entity without stating the reasons for such rejection.
- c) Broadcasting license is considered personal property and the licensee shall not assign it or any part thereof unless approved by the Council of Ministers upon the Minister's recommendation.

Article 19:

The commission shall, prior to sending the recommendation concerning the license application, to obtain the approval of the Telecommunications Regulatory Commission on any matter falling within its jurisdiction, particularly frequency licenses.

Article 20:

The license agreement shall be concluded between the Commission and the Licensee, upon the approval of the Council of Ministers, and the terms, conditions and provisions listed hereunder and any other conditions stipulated by this law and the regulations issued thereunder, shall be specified in the agreement thereof:

- a) Fees due to the Commission for granting and renewing the broadcasting license and its term of validity, and any financial rights or fines the licensee shall be liable to pay due to breaching the terms of broadcasting license. In the case of breach of license conditions, the fines shall not exceed any other fines decided by a decision issued by the Council of Ministers to this effect.
- b) The licensee shall commit to provide the information and details pertaining to the operations of broadcasting and re-broadcasting and required by the Commission from time to time or periodically. The Commission officials shall have the right to investigate and verify the authenticity of the provided information and details.
- c) The licensee shall commit to comply with the terms of the licensing agreement and any instructions or decisions issued by the Commission.
- d) The licensee shall commit to facilitate the work of the competent authorities to exercise their responsibilities.
- e) The licensee shall have the right to establish and install towers and assemble the equipment, apparatus and stations required for broadcasting and re-broadcasting inside the buildings and on the lands of others; and agree with the proprietor on the procedures and terms of agreement, including the right of proprietors to compensation.
- f) Cooperation with the Commission and the other licensees operating in the audio and visual media sector and the telecommunication sector.
- g) The guidelines for resolving any dispute arising between the Commission and the licensee.
- h) The licensee shall give priority to Jordanian human and material resources, whenever available.

- i) The licensee shall comply with the technical specifications approved by the Commission for the broadcasting and re-broadcasting equipment.
- j) The licensee shall provide the human resources, programs, sites, fixtures, equipment, studios and stations required for broadcasting and re-broadcasting.
- k) The licensee shall respect the moral, technical and intellectual property rights of others.
- l) The licensee shall respect the human personality, freedom and rights of others, the pluralistic nature of expression of thoughts and ideas, and the objectivity of news broadcasting. The licensee shall maintain the public order, national security and public interest.
- m) The licensee shall contribute to the development of the national industries pertaining to the national production of audio and visual materials
- n) The licensee shall not broadcast or re-broadcast all that which may incite sectarian or racial disputes or anything that may disrupt the national unity or encourage terrorism, racism and religious discrimination or undermine the relations of the Kingdom with other States.
- o) The licensee shall not broadcast any economic topic or comment that may jeopardize the integrity of the national economy and monetary system.

Article 21:

During the term of the broadcasting license, the licensee shall:

- a) Adhere to the Radio and TV programs specified in the license.
- b) Adhere to the allocated frequency bands and geographical coverage for broadcasting, according to the technical standards defined for using the frequency thereof.
- c) Record the whole broadcasting time and retain it for one month from the date of broadcasting, and allow the Director or the deputed employee in writing to access the recordings thereof at any time.
- d) Keep a record of all the programs the licensee broadcasted during a period of twelve consecutive months, and the date and time on which these programs were broadcasted.
- e) Use his/her equipment and technologies only for the purposes defined in the broadcasting license.
- f) Display the station's logo during the TV broadcasting and broadcast the station's name and the frequency during the Radio broadcasting time.
- g) Provide any details or information required by the Commission regarding the broadcasting and re-broadcasting.
- h) Provide the Commission, within two months from the end of the fiscal year, a duly audited copy of the final financial statements.
- i) Pay the annual license fees.
- j) Follow the instructions the Commission issues in emergency and disasters situations.
- k) Follow the conditions of the license agreement and the provisions of the law and the regulations and instructions issued pursuant thereto.
- l) Follow the instructions of the programs, advertisement and commercials issued by the Commission.

Article 22:

The Council of Ministers may, upon the recommendation of the Minister that is based on the recommendation of the Director, exempt the governmental departments and institutions from the broadcasting license fees.

Article 23:

The Commission may, without the consent of the Telecommunications Regulatory Commission, cancel the broadcasting license if the licensee fails to broadcast within one year from the date of license, or if broadcasting or re-broadcasting is ceased for a period exceeding sixty consecutive days, or 120 interrupted days within the year.

Article 24:

- a) The Jordan Radio & TV Corporation (JRTV) is licensed by rule, by virtue of the provisions of this law, to operate in the field of Radio and TV broadcasting, and its active Radio and TV stations shall accordingly, upon the enforcement of this law, be granted the required licenses, to this effect. JRTC shall comply with the general policy of media and the national plans thereof and instructions issued by the Commission, pursuant to the provisions of this law, without contravening the provisions of the JRTV law.
- b) Notwithstanding the provisions of any other law, JRTV and its stations shall be exempted from the broadcasting and re-broadcasting license fees, and from any charges imposed under the provisions of this law or the regulations issued pursuant thereto and the instructions issued in pursuance thereof.
- c) All agreements signed, before the enforcement of this law, between JRTV and any other party in connection to broadcasting and re-broadcasting is deemed valid and effective until the expiry date of the agreement thereof. Without prejudice to the financial rights of JRTV, the agreements thereof may be renewed or extended according to the provisions of this law.

Article 25:

Any licensee may use the transmission equipment and any other equipment of another licensee, upon the approval of the latter, for a charge agreed upon by both, based on the requirements stipulated by the Commission for this purpose, without contravening the provisions of the JRTV law.

Recorded Materials

Article 26:

- a) It is prohibited, except for recorded materials acquired for personal use, to bring in to the Kingdom any recorded materials for the purpose of circulation without obtaining a prior approval for the items.
- b) The approval of recorded materials and the terms and conditions of granting the circulation license and the monitoring of such circulation in addition to the exemption from approval or circulation licenses, shall be defined under a regulation issued for this purpose, whereby the fees for approving the recorded materials and their circulation license shall also be defined.

Article 27:

It is prohibited for any person to display or circulate any recorded material that is not approved by the Commission and a license is granted for its circulation.

Punishment

Article 28:

- a) Violating any of the provisions of either or both articles no. 27 and 28 of this law shall result in imprisonment of not less than one year and no more than five years, or a fine of not less than JOD500 and no more than JOD 5000, or both, and confiscation of the Recorded Materials and shutting down the show room, whenever necessary.
- b) The reoccurrence of violation is punishable by double the fines and imprisonment stipulated in item (1) of this article, and the circulation license shall be revoked by a decision passed by the Commission.

Article 29:

Violating the provisions of this law shall, subject to any severer punishment stipulated in any other legislation, incur punishment as follows

- a)
 1. Engaging in broadcasting operations without obtaining the broadcasting license shall result in imprisonment of not less than one year and no more than five years, or a fine of not less than JOD25,000 and no more than JOD 100,000, or both. The equipment and apparatus thereof shall be confiscated and the damage resulting from such violation shall be removed.
 2. The reoccurrence of violation is punishable by double the fines and imprisonment stipulated in item (1) of this article.
- b)
 1. The licensee breaching the terms and conditions of the license, concerning broadcasting and re-broadcasting, shall be subject to a fine of not less than JOD10000 and no more than JOD 50,000, and shall be obliged to compensate for and remove the damages resulting from such violation, and the Commission shall have the right to suspend the broadcasting rights for a period of maximum two months. The provisions of this clause are not applicable to violations made by the licensee in regards to staff and employees, who shall be subject to the provisions and terms stipulated in the license agreement.
 2. The reoccurrence and continuation of violation is punishable by double the fines and imprisonment stipulated in item (1) of this article, and the Council of Ministers may, upon the recommendation of the Minister that is based on the recommendation of the Director, cancel the broadcasting license granted to the licensee, and oblige the licensee to compensate the Commission no less than the annual fees due on the cancelled license.

General Provisions

Article 30:

For the implementation of the provisions of this law, the Director or the employee deputed by the him/her shall be considered part of the judicial police and shall, in this capacity, have the right to enter the broadcasting and re-broadcasting stations, show rooms and any other place where the recorded materials are circulated, and audit the documents and assets therein and retain any of them, with the exception of the JRTV premises.

Article 31:

The Commission may settle disputes that may arise as a result of breaching the provisions of this law by means of collecting cash compensation from the violator. The collected amount shall be not less than twice the amount of the fine prescribed for the breach thereof, according to the provisions of this law.

Article 32:

The council of Ministers shall, upon the recommendation of the Minister, issue the required regulation to implement the provisions of this law, including the following:

- a) The broadcasting and re-broadcasting license regulations.
- b) The broadcasting and re-broadcasting license and license circulation fees regulations, wherein the fees thereof and license renewal and modification fees are determined.
- c) The audio and visual recorded materials approval and monitoring regulations.
- d) The radio and TV stations' offices and correspondents regulations.
- e) The regulations pertaining to the financial and administrative matters, works, supplies, personnel and investments of the Commission.

Article 33:

Any provision, stipulated by any other law and contravene the provisions of this law, may not be applied.

Article 34:

The Audio and Visual Recorded Materials Monitoring Law No 8 for the year 1997 shall be deemed null and void. All the while, the instructions and regulations issued pursuant thereto shall remain in force until revoked or replaced.

Article 35:

The Prime Minister and the Ministers shall be charged with the responsibility of implementing the provisions of this law.

29/10/2002

Abdullah II ibn al-Hussein