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The Council of Representatives

No. 30/23/4/2245

Date: 7/7/2008

Hashemite Jordanian Kingdom

The Prime Minister:

The 15th Council of Representatives has decided in its second session, today, (the 12th) of the extraordinary round of the first regular round held on 6/7/2008, the approval of the draft law No. () of 2008, the Law on Societies as sent by the Government, with making some amendments to it.

We enclose a copy of the draft law to be presented to your esteemed council.

Please accept high regards.

M. Abdul Hadi Al Mujali

Speaker of Parliament

Draft
Law No. () of the Year 2008
Law on Societies
As approved by the Council of Representatives

Article 1

This law shall be called The *Law on Societies of 2008*, and it is effective ninety (90) days from the date of its publication in the Official Gazette.

Article 2

Whenever the following words or expressions appear in this law they shall have the following definitions

The Ministry: The Ministry of Social Development

The Minister: The Minister of Social Development

The Registry: The registry of societies established in the Ministry pursuant to the provisions of this law.

Controller of the Registry: The Controller of the specific registry pursuant to the provisions of this law.

The Relevant Ministry: The ministry or the official public foundation determined by the Controller of the Ministry to supervise the society and monitor its affairs pursuant to the requirements of this law.

The Relevant Minister: The minister of the Relevant Ministry or the Director of the official foundation, according to the necessities of the situation.

The Fund: A fund of support for the societies, established pursuant to the provisions of this law.

Article 3

- A. For the purposes of this law, the word "society" means a legal person comprised of a group of persons registered pursuant to the provisions of this law, to provide services or undertake activities on a volunteer, non-profit basis, without seeking any profit or gain for any of its members, or for any person in particular, and without seeking to realize the political goals of any political parties.

- B. The following are excluded the provisions of this law:
1. Any legal person established in accordance with the provision of a special law.
 2. The groups and committees registered in accordance with the provision of the Law on the *Awqaf* and Islamic Affairs, as well as with the Law on *Zakat* Fund, and the regulations and directives pursuant to it.
 3. Non-Moslem denominations registered according to the provisions of the Law on the effective Non-Moslem Denominations Councils.
 4. Clubs, associations, and centers registered according to the provisions of *the Law of the Supreme Council for Youth* and the regulations and directives pursuant to it.
- C. The registering of any Masonic society is prohibited in Jordan, as is any Masonic activity.
- D. The registering of any society with racist aims is prohibited.

Article 4

- A. A registry called "Societies Registry" will be established in the Ministry, supervised by the Controller of the Registry.
- B. The Controller of the Registry shall be appointed by a decision of the Council of Ministers in accordance with the agreement of the minister and shall be connected with the minister.

Article 5

- A. The Controller of the Registry shall undertake the tasks of organizing and working with the relevant ministries as follows:
1. Define which ministry relevant to each society in accordance with a particular system created for this purpose.
 2. Input societies into the Registry and issue a certificate of registration to each society.
 3. Any other mandatory powers or tasks assigned to him, pursuant to the provisions of this law, and regulations and directives issued pursuant it.
- B. The Minister shall name the person who will act as a deputy to the Controller of the Registry in the case of the Controller's absence.

Article 6

- A. A group of people, not less than eleven persons, may submit an application for the registration of the society to the Controller of the Registry to register a society on the forms authorized for this purpose. The aforementioned request must be accompanied by three copies of each of the following:
1. A list of the names of the founding members, their personal information including their places of residence, their occupations, their ages, and their qualifications.
 2. The society's official bylaw.
 3. A statement signed by all of the founding members in which they state clearly their agreement to the society's by-laws, as well as the name of the person authorized by the founders to follow through with the preparations for registering, and to receive any notifications, decisions, or correspondence sent by the Controller of the Registry to this end.
- B. The provisions which should be stated in [the society's] by-laws are determined by a special statute issued for this purpose. The statute should include the following:
1. The name of the society.
 2. The society's main headquarters and the geographic scope of its work.
 3. The aims and goals of founding the society, clearly expressed and defined.
 4. The condition of acquiring membership, and situations of its losses.
 5. Fees of membership and the amount of the annual subscriptions;
 6. The way by which General Board of the society hold regular and extraordinary meetings and its powers, the legal quorum necessary to convene a meeting, and the mechanisms for making decisions in such meetings.
 7. The numbers of members of the Board of Directors, the way in which said members are elected, the legal powers granted to them, the legal quorum necessary for them to convene a meeting, and the mechanisms for making decisions.
 8. The society's sources of funding and means of managing their affairs, including measures ensuring oversight and accuracy.
 9. The means of dissolving the society and devolving of its assets.

Article 7

The founding member of each society should meet the following conditions in addition to any other conditions stated in the society's statute:

- A. To be a Jordanian national.
- B. To be at least eighteen years of age.
- C. To be in full capacity;
- D. To have a good character and to not have been previously convicted of any felony or dishonoring crime.

Article 8

The Council of Ministers, acting upon the recommendation of the relevant Minister, agrees to the following:

- A. That among the founding members of the society there should be a Jordanian legal person.
- B. That the society's membership should include one or more persons (natural or legal) with whom the society's financial resources are restricted to the members' contributions so as to lead to the realization of the society's aims and goals as stated in the society's by-laws.

Article 9

- A. Registration of a branch of a society registered in a foreign country for the purposes of rendering services in Jordan is permitted on the condition that neither the main branch nor any of the subsidiary branches are for-profit entities or aim for the realization of any political goals.

- B. The branch of the foreign society will be registered in accordance with the provisions of this law and on the condition that the application for registration should include the name of the foreign society or its main headquarters, its address, the names of its founders, the members of its executive board, and the society's basic goals, and include the names of those responsible for the branch to be established and the name of their authorized agent, their nationalities, and the means of dealing with the branch's assets upon its dissolution, just as with requests to register the bylaws of parent societies.

- C. The branch of the foreign society is prohibited to fundraising or receive any funding from within Jordan except with the consent of the Council of Ministers

Article 10

- A. The request for registration is to be submitted along with attachments directly to the Controller of the Registry, or to the Department of Social Development in the Governorate, and in this case the Department must send the request in full to the Controller of the Registry within seven (7) days of the date of its receipt of same.
- B. Immediately after the Controller of the Ministry has received the application, he will verify that the application has fulfilled the information required by Articles 6, 7, 8, and 9 of this law. In the case of any deficiency, the founding members will be notified in writing within fifteen (15) days from the date of the [Controller of the Registry's] receipt of the application.

Article 11

- A. The Controller of the Registry will determine the competent minister in light of the aims and goals of the society submitting an application for registration and will send the application and its attachments to the relevant minister to issue his decision on the matter in full and in accordance with the provisions of this law within sixty (60) days of the Controller of the Registry's receipt of the application for registration and its attachments.
- B. If the relevant minister has not issued a decision on the application for registration and also has not provided notification of deficiencies in the application within the period of time stated in Paragraph (A) of this Article, then the application in this case will be deemed legally granted.

- C. If the relevant minister agrees to the request for registration, or if the application was legally granted pursuant to Paragraph B of this article, then the Controller of the Ministry must complete the necessary procedures to enter the society into the Registry within fifteen (15) days of the date of granting of approval.
- D. If the relevant minister denied the application for registration, the Controller of the Ministry will notify the founders of this decision. They are permitted to challenge [the decision] before the High Court of Justice pursuant to the conditions of the active laws.
- E. Upon registering the society in accordance with the provisions of this law, the Controller of the Registry must issue a Certificate of Registration including the name of the society, the location of its headquarters, the geographic scope of its work, and the address at which it will receive correspondence.
- F. The registration of the society will be published in the Official Gazette.

Article 12

Upon its being entered into the Registry, each society will obtain a legal personality and may undertake the necessary actions to realize the aims and goals put forth in the by-laws according to the provisions and conditions specified in this law. The society will also have the right to litigate and hire attorneys.

Article 13

- A. The society is permitted via a 2/3 majority of its General Membership, in addition to the agreement of the relevant minister, to establish in Jordan subsidiary branches related to it administratively and financially.
- B. Every branch of the society will be administered by a representative appointed by the society's Board of Directors.

Article 14

- A. The society must abide by the provisions of this law and regulations and instructions issued pursuant it as well as abiding by the following:
 - 1. To exercise its activities according to its by-laws.
 - 2. To allow anyone who meets the conditions of membership as stipulated in the by-laws to join, unless there is an exception made by decision of the Council of Ministers with the agreement of the Relevant Minister.

3. To inform the Relevant Minister and the Controller of the Registry of the date, location, and schedule of any meeting of the general assembly at least two weeks in advance.
 4. To write down and maintain the minutes of the meetings of its Executive Board and the General Assembly, including all decisions issued by them in its headquarters in sequencing manner.
 5. To keep financial records that show the Society's revenues and its expenses.
 6. To keep a record of its assets and equipments available with it and any other records necessary to exercise its activities and works according to its bylaw.
- B. 1. If the Society has not informed the Relevant Minister or the Controller of Registry in writing of the schedule and scheduled time and place of a meeting of its General Assembly at least two weeks in advance, then the meeting will not be deemed legal.
- B. 2. Each of the Relevant Minister and the Controller of Registry will name a representative to attend the meeting of the Society's General Assembly on his behalf.
- C. 1. Without prejudice of the provisions of Paragraph 2 of this article, a decision of the Society's General Assembly will be considered effective from the date of its being deposited with the Relevant Ministry, and so long as they are consistent with the provisions of this law and with the Society's by-laws.
- C. 2. Prior to the decisions of the General Assembly to be effective, the agreement of the Relevant Minister must be obtained and the decision must be entered into the Registry.
- The election decision of its administrative board.
 - The decision of making amendment to any of its bylaw.

Article 15

Members of Board of Directors must fulfill the same conditions as the Founding Members pursuant to the provisions of this law in addition to other conditions stated in its by-law.

Article 16

The Society's Board of Directors must present the following to the Relevant Ministry:

- a. An annual action plan.

- b. A yearly report including the Society's achievements and activities in the previous year, sources of its revenues, and expenditures in addition to any other required documents pursuant to the provisions of this law.
- c. An annual budget audited by a legal accountant chosen by the General Assembly of the society. The Relevant Minister has the right to exempt any society whose budget less than two thousand Dinars from being audited and in this case its own financial accounts are to be audited by the relevant ministry.
- d. A yearly list of the names of the members.

Article 17

- A. The Society must declare in its annual report any grants or donations which it obtained from Jordanian persons, provided that it should record the name of donor.
- B. 1. If the Society wants to obtain any contribution, donation or funding from non-Jordanians, whatever its form, it must submit an application to obtain the approval of the Relevant Minister, and in the case of the absence of a decision in the matter after thirty (30) days from the date of its receipt, the application will be deemed legally granted.
2. If the Society has obtained any donation, contribution or funding in violation of Paragraph 1 of this Article, then the Relevant Minister may take the procedures that are deemed appropriate, whether to return contribution, donation or funding to the party which granted it or to transfer it the benefit of the Fund, in addition to any penalties or measures provided for in this law and in the other effective legislations.
- C. The Society must deposit all of its funds in one of the public banks in Jordan, and these accounts may not be secret, regardless of what has been stated in any other law.

Article 18

- A. The Relevant Ministry may receive any complaint against the society or any of its activity and works, and the Relevant Minister may also form a committee to investigate into these complaints, or pass them immediately to the relevant official bodies pursuant to the needs of the situation.
- B. The relevant minister may check the records and accounts of the Society and may also get the assistance of a legal accountant to

this end at the expense of the Fund and with the approval of the Board of Directors.

- C. For the purposes of the provisions of this Article, the Board of Directors of the Society must undertake the necessary measures required by the Relevant Minister to facilitate the task of the investigation committee and the legal accountant and enable them to carry out the tasks with which they are assigned.

Article 19

A. The Relevant Minister may appoint a temporary Board of Directors for the Society in any of the following cases:

1. If the Board of Directors is unable to convene meetings because of the lack of its legal quorum due to resignation, death, or a similar situation.
2. If the Society has violated any of the provisions of this law or regulation or directives issued pursuant to it or violated the provisions of its bylaw and has not made efforts to eliminate the reasons of this violation within two months from the date of being informed by a written warning.
3. If the Society has violated the provisions of the paragraph © of the Article (18) of this law.
4. If the Society has accepted any donation, support, or funding from any source, without being disclosed, or even having it registered into its financial records.

B. 1. The temporary Board of Directors must invite the General Assembly of the Society to convene within sixty (60) days, as maximum, to elect a new Board of Directors pursuant to the provisions of this law.

B. 2. If the Paragraph 1 of this Article has become impossible to be implemented, the period of the Temporary Board of Directors may be extended for a similar term subject to one-off decision by the relevant minister.

Article 20

A. The Society will be considered legally dissolved in either of the following two situations:

- i. If the Society has not embarked upon its activities or it suspended its activities for a full year.
- ii. If it fails to reconcile its situations according to the provisions the Article 28 of this law.

- B. The relevant minister has the right to issue a justified decision to dissolve the Society in any of the following circumstances, and on the condition that a copy of the decision is to be sent to the Controller of the Registry:
- i. If it is impossible to elect the Board of Directors according to provisions of the by-laws and the provisions of this law.
 - ii. If the Society has retained or used contributions or funding from non-Jordanians in violation of the provisions of Paragraph B of Article 17 of this law.
 - iii. If the Society commits a violation for the second time about which it had previously been warned in accordance with the provisions of the Paragraph 2 of Part A of Article 19, and has not [subsequently] eliminated the causes of this violation within two months month from the date of being informed by a written warning.
 - iv. If two thirds of the General Assembly has agreed in extraordinary meeting to the dissolution of the Society pursuant to the provisions of the by-laws of the Society.
- C. A challenge to the decision of the relevant minister to dissolve the Society can be made before the High Court of Justice.

Article 21

- A. Any notifications or decisions issued according to the provisions of the this law as well as regulations and instructions pursuant to it, will be delivered to, either via hand delivery to any employee present at the Society's stated address, or by deposit in the mailbox registered for that address, and this depositing is considered a legal notification once fifteen (15) days have elapsed.
- B. If delivery is impossible pursuant to the provisions of Paragraph A of this Article, then it is permissible for delivery to occur once via publication in two local, daily newspapers at the expense of the Society. This publication will be considered legal notification.
- C. A change to the correspondence address of the Society will become effective on the date the Controller of the Registry and the relevant ministry are notified in writing.

Article 22

- A. A fund called "Fund for Support of Societies" will be established in the Ministry. The Fund will aim to support societies. It will enjoy financial and administrative independence, as well as legal personality and will possess both movable and unmovable property and to invest them in

the way it deems appropriate. It will be represented in legal processes by the civil general lawyer.

- B. The Fund will be administrated by a committee chaired by the Minister and the membership of the Controller of the Registry as a deputy and one representative for each relevant ministry, in addition to three members from the representatives of the Society who are appointed by a decision by the Council of Cabinet based on the proposal of the Minister for two years that can be renewed for once only. The Council of Ministers has the right to terminate their membership in the same way.
- C. The resources of the Fund consist of the following:
 - i. The allocations in the general budget
 - ii. Any donations, contributions, or grants, provided that the Council of Ministers has approved them, should they originate from non-Jordanian sources.
 - iii. The proceeds of any charitable lottery organized for the purposes of the Fund in accordance with the provisions of a special system issued for this purpose.
 - iv. The funds of the societies and associations whose legal personality ceases in the absence of other entity to which these fund are devolved.
 - v. Any sums or contributions from societies or associations which are collected contrary to the provisions of this law and, and regulations and directives issued pursuant to it.
 - vi. Dividends earned on the investment of he monies of the Fund
 - vii. Any other sources upon which the Council of Ministers agrees taking into consideration the input of the Administrative Committee of the Fund.
- D. The aspects of expenditures and support for societies from the Fund's money are determined based on criteria and conditions made by the by the Council of Ministers in accordance with directives issued for this purpose. The Administrative Committee of the Fund is responsible for disbursement in accordance with these directives.
- E. The monies and accounts of the Fund are subject to the supervision of the Audit Bureau.

Article 23

- A. It is permitted to form a union or more for the societies for the purpose of coordinating their efforts in presenting services and engaging in activities, pursuant to the provisions of this law. A special regulation will be issued to specify the types of these unions, the

provisions and the terms and conditions of their registration, and all other related societal matters.

- B. The union will have an independent legal personality, and all member societies retain their independent legal personality as well.
- C. The provisions of Articles 14-21, and 25-27 of this law are applicable to [the aforementioned] unions.

Article 24

- A. The merging of two or more registered societies is permitted with the approval of the relevant minister, pursuant to the provisions of this law. The resulting society will become a real and legal entity.
- B. Two or more societies may form a coalition to execute shared programs aiming to realize their aims and goals.

Article 25

- A. Upon the dissolution of a society, all of its assets will devolve to the party determined by the by-laws of the society, whether this party is the Fund or another society with the same goals and aims.
- B. If the by-laws of the society has not determined the fate of the society's assets upon the society's dissolution, then these assets will devolve to the Fund.

Article 26

He will be punished by a decision by the competent court:

- A. Anyone who assumed the administration of the Society's funds and spent them in contrary to the society's aims and goals, will be punished by a fine not less than one hundred (100) dinars and not more than one thousand (1000) dinars, as well as another fine equivalent to the value of damage.
- B. Anyone who agrees to receive any contribution, support or funding from Jordanian persons, and without declaring the funds or entering them into the records of the society will be punished by a fine not less than one thousand (1000) dinars and not more than ten thousand (10,000) dinars.
- C. Anyone who keeps or uses contributions or funding presented to the society from non-Jordanians and does not declare the funds or enter them into the records of the society, or in the case of keeping or using said funds despite of being denied by the relevant minister is subject to imprisonment of not less than three months or by a fine not less

than one thousand dinars and nor more than ten thousand dinars or both penalties.

Article 27

- A. Anyone who is pronounced as guilty pursuant to the provisions of Article 26 of this law is not permitted to be a member of the Board of Directors of any Society.
- B. The funds raised from fines pursuant to Paragraph A of Article 26 are to be devolved to the society.
- C. The funds raised from fines pursuant to Paragraphs B and C of Article 26 are to be devolved to the Fund.

Article 28

- A. Any legal person registered pursuant to the provisions of any previous legislation is considered to be registered according to this law.
 - i. The societies and unions registered pursuant to the provisions of the Law on Societies and Social Groups No. 33 of 1966 and its amendments.
 - ii. Any legal person, whatever his form, who was registered pursuant to the provisions of the effective Law on Cultural Preservation.
 - iii. Any society registered according to the provisions of the Law on the Environment.
 - iv. Any society registered according to the provisions of the Law on Tourism.
 - v. Non-profit companies registered according to the provisions of the Law on Companies.
 - vi. Any society, entity, or Society given the name "Society" pursuant to the provisions of this law and which has been registered pursuant to any legislation currently in force.
- B. Associations in existence on the effective date of this law must reconcile its situations within a period of time not exceeding one year from the effective date of the law. The relevant minister may extend it for period not more than another year.
- C. The relevant minister may issue any necessary directives to enable the societies to make their practices be in consistent with the provisions of this law.

Article 29

- A. The Council of Ministers has the right to issue the necessary regulations to implement the provisions of this law.
- B. Every minister and relevant minister have the right to issue the necessary directives to effect the provisions of this law.

Article 30

The following are hereby superseded and cancelled:

- A. The Law on Societies and Associations No. 33 of 1966 and its amendments.
- B. The provisions of any other law insofar as they oppose the provisions of this law related to the registration of legal persons implied by the provisions of Article 28 of this law.

Article 31

The Prime Minister and the Ministers are hereby commissioned to effect the provisions of this law.

Faiz Al Shawabkah
General Secretary of Parliament

Abdul Hadi Al Majali
Speaker of Parliament.