

The Official Gazette of the Hashemite Kingdom of Jordan

Amman: Sunday, Rajab 26th 1430 corresponding to July 19th 2009

Issue: 4972

Published by the Prime Ministry – Directorate of the Official Gazette
Website: www.pm.gov.jo

The Official Gazette of the Hashemite Kingdom of Jordan

Published by the Prime Ministry – Directorate of the Official Gazette

Website: www.pm.gov.jo

Index of Issue 4972 issued on 19/07/2009

**Regulation No. (45) of 2009
REGULATION ON CHAMBERS OF COMMERCE**

We, Ali Bin Al Hussein, Viceroy of His Majesty the King of the Hashemite Kingdom of Jordan,

Pursuant to article (31) of the Constitution;

And based on Resolution of the Council of Ministers on 07/07/2009

Hereby ordain to promulgate the following Regulation:

Regulation No. (45) of 2009

Regulation on Chambers of Commerce

Issued pursuant to Articles (2) and (35) of the Law No. (70) of 2003 on Chambers of Commerce

Article (1): This regulation shall be cited as (the Regulation on Chambers of Commerce of 2009) and shall come into effect as of the date of publication hereof in the Official Gazette.

Article (2):

a) The following words and expressions, wherever stated in this regulation, shall have the meanings assigned thereto hereunder, unless the context otherwise implies:

The Law: The Law on Chambers of Commerce in effect;

The Central Committee: The Central Committee formed in accordance with the provisions of this regulation;

The Supervisory Committees: Any committee supervising the elections formed in accordance with the provisions of this regulation.

b) For the purposes of this regulation, the definitions set forth in the law shall used wherever stated in the provisions of this regulation.

Article (3): The chambers of commerce may, by a resolution of the board of directors thereof, and upon the approval of the Minister, open offices

with the area of geographic jurisdiction thereof, provided that to take into consideration the number of commercial enterprises within the area in which the office is intended to be established.

Article (4):

a)

- 1) Application for affiliation to chambers of commerce shall be submitted to the competent chamber of commerce using the approved form thereof attached with a copy of the commercial registration of the enterprise or the small enterprise issued by the Ministry along with a copy of the lease contract or title deed;
- 2) The form referred to in Item (1) of this Clause shall contain all the necessary details, including the number of the commercial stores that the commercial enterprise owns and the location of each of them;

b)

- 1) The applicant for affiliation shall specify the commercial sector of its activity in case of commercial enterprises; the board of directors of the chamber shall settle any dispute arising on this relation where the resolution thereof shall be final;
- 2) In the event that the applicant operates in more than a commercial sector, he/ she shall select one sector for the purpose of registration thereof;

- c) The board of directors of the chamber of commerce shall resolve on the application for affiliation within fifteen days as of the date of submittal thereof or else it shall be deemed accepted; in the event of disapproval of the application, the board of directors of the chamber of commerce shall state the reasons for disapproval, where the applicant may object before the board of directors of the chamber of commerce which shall issue its resolution within fifteen days as of the date of submitting the objection thereto and its resolution shall be final.

Article (5): Commercial sectors are defined as in accordance with the schedule

attached hereto which constitutes an integral part hereof.

Article (6):

- a) In the event that the number of the commercial enterprises affiliated to the chamber of commerce is (3500) or less, the chairperson of the board of directors of the chamber of commerce shall represent this chamber of commerce in the Chamber;
- b) Subject to the provisions of Clause (a) of this Article, in the event that the number of commercial enterprises affiliated to the chamber of commerce exceed (3500), they shall have one additional representative on the board of directors of the chamber to be selected by the board of the directors of the chamber of commerce for each (3500) additional commercial enterprises, provided that the number of additional representatives may in no case exceed four.

Article (7): The chambers of commerce shall prepare tables on the commercial enterprises registered therewith which have the right to elect, as well as the commercial sector of their activity, and shall deliver the same to the competent supervisory committee for verification and approval thereof.

Article (8):

- a) Subject to the provisions of Article (15) of the law, it is hereby stipulated for a person nominating him/ herself to the membership of the board of directors of the chambers of commerce or for representation of the commercial sectors to be affiliated to the chamber of commerce for a period that is not less than two consecutive years prior to the scheduled date for elections;
- b) Chamber of Commerce of Ajloun shall be excluded from the stipulation set forth in Clause (a) of this Article with respect to the first time elections in accordance with the provisions of this regulation.

Article (9):

- a) Application for candidature to the membership of the board of directors of the chambers of commerce and the application for candidature for representation of the commercial sectors shall be presented to the office of the competent chamber of commerce within three days to start at eight o'clock in the morning of the first day for submitting the applications for candidature and expire at two o'clock in the afternoon of the last day for the same; and the officer in charge at the office of each chamber shall sign and record the application at the date and hour of submittal thereof;
- b) Combination between candidature for the membership of a board of director of a chamber of commerce and for representation of a commercial sector shall not be permitted;
- c) For submitting the application for candidature provided for in Clause (a) of this article, a non- refundable fee in the amount of (500) five hundred Dinars shall be collected;
- d) On the day following the expiry of the term specified in Clause (a) of this Article, the applications for candidature for membership of the board of directors of the chambers of commerce as well as the applications for candidature for representation of the commercial sectors shall be presented to the supervisory committee.

Article (10):

- a) The Minister shall schedule a date for conducting the elections of the board of directors of the chambers of commerce and the elections of the representatives of the commercial sectors, along with the date for applying for candidature to be at least one month prior to the date of conducting the same or the date of expiry of the term of the board of directors thereof, as the case may be; elections shall take place at the same time on two separate papers in two different colors and two different boxes;
- b) Chairperson of the board of directors, the chief executive officer or the authorized representative of the commercial enterprise under a certificate of registration issued by the Ministry shall represent it in the elections;
- c) Elections shall be conducted by secret ballot where voting by correspondence

or delegation shall not be permitted. All commercial enterprises members of the general assembly of the chambers of commerce which are registered prior to announcing the date of elections, which have paid the membership fees incurred thereupon at least thirty days before the scheduled date for holding the elections and who have procured valid profession licenses, in case the effective legislation stipulates procuring such licensing for practicing business, shall participate in the election prior to announcing the date of elections by the Minister;

- d) Every commercial enterprise shall have the right to elect ten candidates as follows:
- (1) Nine candidates for the membership of the board of directors of the chamber of commerce to which it is affiliated;
 - (2) One candidate to represent the commercial sector of the activity thereof.

Article (11):

- a) The candidate may publish announcements and electoral statements containing the objectives, plans and platform thereof by any means provided not be in prejudice of any other candidate, whether directly or indirectly, nor incite sectarian, tribal or regional feuds;
- b) The official emblem of the state may not be used in meetings, announcement or electoral statements as well as in all writings, drawings and photos used in the electoral publicity, furthermore, speakers outside halls and on means of transportation shall be prohibited for this purpose;
- c) The Board of Greater Amman Municipality or the municipal councils or those assuming similar functions shall determine the places designated for electoral publicity and means thereof in accordance with the legislations in effect and as the case may be;
- d) The following shall be prohibited:
 - (1) Posting any electoral announcement or statement or affixing the same on walls, phone and electric posts, and public properties, including photos, drawings and writings;

- (2) Holding festivals and assemblies in places adjacent to the voting and vote casting centers;
- e) The entities referred to in Clause (c) of this article shall have the right at any time to remove any violation of the provisions of clauses (c) and (d) of this article at the expense of this to whom such posters, photos, drawings or writings are related without the need for notification thereof.

Article (12):

- a) Pursuant to the provisions of this regulation, a committee designated (the Central Committee) shall be formed chaired by the Director General of the Ministry with the membership of each of the following:
 - (1) A representative for the Ministry of Interior at a governor ranking to be nominated by the Minister of Interior;
 - (2) A representative for the Ministry with a minimum ranking of a director to be nominated by the Minister;
 - (3) Two members of the general assembly of the chamber who are not candidates to be selected by the Minister;
- b) The Central Committee shall assume the following duties and competences:
 - (1) Management and organization of the elections in accordance with the provisions of this regulation;
 - (2) Follow up the action of the supervisory committees;
 - (3) Announcement of the lists of candidates for the boards of directors of the chambers of commerce and of the commercial sectors at least in two daily newspapers, where each of them shall, as the case may be, bear the expenses of such announcement;
 - (4) Examining the challenges, objections and complaints and any other matters related to the elections which do not fall within the competence of any other entity;
 - (5) Preparation of a final report on the results of the elections to include the number of votes obtained by each candidate and submitting the same to the Minister;
- c) The Central Committee may form a subcommittee or more to include in the

membership thereof a number of commercial enterprises affiliated to any chamber of commerce of non candidates or from among other enterprises with a view to help in performing the duties thereof.

Article (13):

- a) Pursuant to the provisions of this regulation, a committee designated (the supervisory committee) shall be formed in the center of each governorate or district to be chaired by the governor or the administrator, as the case may be, with the membership of each of the following:
 - (1) An officer of the Ministry with a ranking not to be lower than a director to be nominated by the Minister;
 - (2) Two members of the general assembly of the chamber who are not candidates to be selected by the Minister;
- b) The Supervisory Committees shall assume the following duties and competences:
 - (1) Supervising the due course of elections;
 - (2) Verifying each of the tables of the commercial enterprises which have the right to elect the members of the board of directors of the chambers of commerce and of the commercial enterprises registered therewith which have the right to elect the representatives of the commercial sectors, approving them and announcing the same at the relevant chamber of commerce;
 - (3) Verifying the applications for candidature to the membership of the board of directors of the chambers of commerce and the application for candidature to the representation of the commercial sectors, preparing the tables on names of the candidates thereof and announcing the same at the relevant chamber of commerce;
 - (4) Ensuring the validity and number of the ballots;
 - (5) Monitoring the polls and seal them with the approved seal of the chamber of commerce, and wax them in red before the commencement of the voting and after confirming in public that they are empty;
 - (6) Casting the votes in the same place at which voting has taken place;

- c) The Supervisory Committee may form a subcommittee or more to include in the membership thereof a number of commercial enterprises affiliated to any chamber of commerce of non candidates or from among other enterprises with a view to help in performing the duties thereof.

Article (14):

- a) The chairperson and members of Central Committee and the Supervisory Committees shall take the following oath in the presence of the Minister:
(I swear by Almighty God to faithfully, sincerely and loyally perform the duties of my office)
- b) Members of the subcommittee formed by the Central Committee or the Supervisory Committee shall take the oath provided for in Clause (a) of this article before the chairperson of the Central Committee or the chairpersons of the Supervisory Committees, as the case may be.

Article (15):

- a) Objection to the tables of candidates and voters shall be submitted to the chairperson of the Supervisory Committee within three days as of the date of announcement thereof; the objection must be made in writing and justified, provided that to pay a fee for objection in the amount of (50) fifty Dinars to the treasury of the chamber;
- b)
 - (1) The Supervisory Committee shall resolve on the objection within two days as of the date of submittal thereof;
 - (2) In the event that the Supervisory Committee disapproves the request for objection within the term referred to in Item (1) of this clause, the applicant for objection shall be entitled to challenge the resolution thereof before the Central Committee within two days as of the date of issuance thereof, where the Central Committee shall issue its resolution within two days as of the date of submitting the challenge thereto.

Article (16):

- a) In the event that, after closing the window for elections, the number of accepted candidates equals the specified number of members for membership of the board of directors of the chamber of commerce or for representation of commercial sector, the Central Committee shall declare that the candidates for membership have uncontested won;
- b) In the event that the number of candidates for the membership of the board of directors of the chamber of commerce or for representation of commercial sectors is lower than the specified number, the Minister shall announce on the next that the candidature window is open again for three days; in case that applicants during this term exceed the required number, the Central Committee shall then draw a lot between the applicants during this term to complete the specified number and all of them shall be considered in such case as winning by uncontested means;
- c) In the event that the required number for completing the membership of the board of directors of the chamber of commerce or representation of the commercial sector has not applied during the term set forth in clause (b) of this article, the Minister shall appoint this number.

Article (17):

- a) At commencing the voting, the voter shall receive two ballots one of which to be used for electing the members of the board of directors of the chamber of commerce while the other is designated for electing the representative of the commercial sector in which the commercial enterprise is registered, provided that all ballots are to be sealed with the approved seal of the chamber of commerce and signed by the chairperson of the supervisory committee or the authorized delegate thereof from among the members of the committee; the voter shall write down the names of the candidates he/ she is electing, as announced, on the ballot provided that the number of names thereon not to exceed the required number, then the voter shall put each ballot in the designated poll;
- b) Ballots with no names, illegible ballots or those causing confusion shall be discarded; as for the ballots with names more than the required number, the

last names in excess shall not be counted. any ballot not fulfilling the conditions set forth in this article shall be discarded;

- c) The supervisory committee shall check the name of the voter on the voters list at handing over both ballots, and shall record the name thereof in a special record to be prepared for this purpose.

Article (18):

- a) Candidates with highest numbers of votes shall successively win the membership of the board of directors of the chamber of commerce; in the event that two or more of the candidates ranking last obtain equal numbers of votes, the supervisory committee shall draw a lot to select a winner;
- b) The candidate for each commercial sector with highest votes in all electoral district shall be considered as a member on the board of directors of the chamber.

Article (19): Chairperson of the Central Committee shall announce the results of the elections and advise all winning members of the same in writing.

Article (20): The supervisory committee shall prepare a list of the non-winning candidates and the number of votes they have collected which shall be kept with the chamber following to endorsement thereof by the central committee.

Article (21): The secretary of the board shall oversee the organization of the paperwork, order and smooth performance and keeping the same, and shall follow up the execution of the board's resolutions, keep the seals, organize the minutes, numbers and dates of sessions and record the present and absent members at every session.

Article (22): No member of the board or of the board of directors of the chamber of commerce may participate in voting on matters in which he/ she

has a person benefit, subject to invalidation of the resolution.

Article (23):

- a) The member shall forfeit the membership thereof on the board in case that such member forfeit the capacity which was a condition for candidacy thereof at holding the elections, unless that he/ she has the same capacity in another commercial enterprise and meets the conditions for membership provided for in Article (15) of the Law;
- b) The member shall forfeit the membership thereof on the board for the commercial sectors for which he/ she has been nominated in case that such member forfeit the capacity which was a condition for candidacy thereof for commercial sectors, unless that he/ she has the same capacity in another commercial enterprise affiliated to the same sector and meets the conditions for membership provided for in Article (15) of the Law.

Article (24):

- a) Financial resources of the chambers of commerce are composed of the following:
 - (1) Membership fees which are composed of the registration fees and subscription fees;
 - (2) Fees of endorsement of invoices and certificates of origin which shall be charged at the rate of one- thousandth of the value thereof provided that not to be less than four Dinars nor exceeding fifty Dinars;
 - (3) Fees of endorsement of guarantees which shall be at the rate of one- thousandth of the value thereof provided that not to be less than four Dinars nor exceeding fifty Dinars;
 - (4) Fees of endorsement of other certificates and deeds which shall in the amount of four Dinars per copy;
 - (5) Fees of registration of request for arbitration which shall be at the rate of one- thousandth of the value of the arbitration case, provided that these fees are not to be less than fifty Dinars nor exceeding five hundred Dinars; yet in case that the arbitration case is of unspecified value, the

fee shall be a lump sum in the amount of one hundred Dinars;

- (6) Fees of candidature;
- (7) Charge for objection to voters' tables;
- (8) Revenue of its invested funds;
- (9) Gifts, aids, donations and any other resources delivered thereto, subject to the approval of the Cabinet thereon if they were of a non- Jordanian source;

b) A percentage of (50%) of the fees set forth in Items (2), (3) and (4) of clause (a) of this article shall be collected from small enterprises.

Article (25): Subject to the provisions of Article (31) of the Law, the chambers of commerce shall deliver a percentage of (15%) of the total resources thereof to the Chamber every three months of the fiscal year.

Article (26):

a) The chamber of commerce shall collect from the commercial enterprises an annual subscription fee as follows:

1.	1500 Dinars	For the commercial enterprise with a capital of ten million Dinars or more;
2.	1000 Dinars	For the commercial enterprise with a capital of five million Dinars and less than ten million Dinars
3.	800 Dinars	For the commercial enterprise with a capital of two million Dinars and less than five million Dinars
4.	500 Dinars	For the commercial enterprise with a capital of half million Dinars and less than one million Dinars
5.	300 Dinars	For the commercial enterprise with a capital of five million Dinars and less than ten million Dinars
6.	200 Dinars	For the commercial enterprise with a capital of one hundred thousand Dinars and less than half million Dinars
7.	100 Dinars	For the commercial enterprise with a capital of fifty thousand Dinars and less than one hundred thousand Dinars

8.	50 Dinars	For the commercial enterprise with a capital of five thousand Dinars and less than fifty thousand Dinars
----	-----------	--

- b) The chamber of commerce shall collect a one- time registration fee for registering the commercial enterprise therewith at the rate of (50%) of subscription fee provided for in clause (a) of this article.

Article (27):

- a) The chamber of commerce shall collect an annual subscription fee in the amount of (20) twenty Dinars form the small enterprises;
- b) The chamber of commerce shall collect a one- time registration fee at registering a small enterprise in the amount of (10) ten Dinars.

Article (28): Any amount of the funds of the chamber may not be disbursed but by a resolution by the board in which it indicates the aspects of disbursement of such amount; an exclusion to the foregoing are the contingent or periodical expenses, provided that to be determined under instructions to be set up by t he board for this purpose.

Article (29):

- a) The chambers of commerce shall have the competence to issue certificates of origins to the following:
- (1) Re-exported foreign goods;
 - (2) Agricultural and animal product upon procuring the required documents from the competent entities;
- b) Procedures for issuing the certificates of origin by the chambers of commerce and the prerequisites for issuance thereof along with the data to be included therein and all matters related thereto shall be determined under instructions to be issued by the Minister for this purpose.

Article (30):

- a) The treasurer shall oversee the accounts of the chambers, and shall be

responsible for the funds and organizing of the budget thereof; he/ she shall further maintain a special record on the assets and movable and immovable properties thereof and co-sign with the president thereof on all financial transactions thereof;

- b) The treasurer shall duly organize the books of accounts of the chambers, provided that to attach every revenue or expense with valid documents on two copies holding serial number and including the necessary details and the supporting documents thereof sealed under the common seal of the chamber.

Article (31):

- a) The board of directors of the chamber of commerce shall form a committee of three members to be chaired by the treasurer to oversee the financial matters and resources of the chamber;
- b) The committee shall submit a financial report every three months to the board of directors of the chamber of commerce which shall contain a specification of the approved resources and net assets of the treasury.

Article (32): The board may approve a bank or more to deposit the funds of the chamber therein; no amount may be drawn there from but under the signature of the treasurer jointly with the chairperson or the deputy thereof in case of absence thereof, or the member authorized by the board at the absence of either of them; the treasurer may not retain an amount exceeding that determined by the board.

Article (33): No profession license may be issued to any commercial enterprise or small enterprise but upon producing a receipt of payment of the membership fees issued by the chambers of commerce.

Article (34): Fee of registration shall be paid after admitting the member into the general assembly and he/ she may not be registered before paying this fee.

Article (35): Funds collected by the chamber may not be refunded but in cases in which it is established that such funds have been collected by mistake.

Article (36): Provisions set forth in this regulation concerning the financial affairs of the chamber shall apply to the chambers of commerce as to all matters not provided for herein.

Article (37): The Regulation on the Chambers of Commerce No. (58) of 1961 shall be repealed.

Ali Bin Al-Hussein

07/07/2009

Minister of Water and Irrigation Engineer Raed Abu El-Soud	Minister of State of Media & Communications Affairs and Acting Minister of Foreign Affairs Dr. Nabeel Al-Shareef	Minister of Interior Nayef Al-Qadhi	Prime Minister and Minister of Defense Eng. Nader Al-Thahabi
Minister of Awqaf and Islamic Affairs Abdul Fattah Salah	Minister of State of Legal Affairs & Acting Minister of Education Salem Khazaaleh	Minister of Finance Basem Al-Salem	Minister of Planning & International Cooperation Suheir Al-Ali
Minister of Social Development Halah Bseiso Lattouf	Minister of Tourism & Antiquities Maha Al-Khateeb	Minister of Communication and IT Basem Al-Rousan	Minister of Culture and Acting Minister of Higher Education & Scientific Research Dr. Sabri Erbeihat
Minister of Public Sector Development Nancy Bakeer	Minister of Industry & Trade Eng. Amer Al-Hadidi	Minister of Municipal Affairs and Acting Minister of Environment Eng. Shehadeh Abu Hdeib	Minister of Public Works & Housing Eng. Alaa Al-Bataineh
Minister of Transportation Eng. Sahel Al-Majali	Minister of Energy & Mineral Resources Eng. Khaldoun Quteishat	Minister of Justice Ayman Oudeh	Minister of State of Prime Ministry Affairs Thouqan Salem Al-Qudhah
Minister of Health Dr. Nayef Al-Fayez	Minister of Labor Dr. Ghazi Al-Shbeikat	Minister of Political Development Eng. Mousa Al-Maaitah	Minister of State of Parliamentary Affairs Ghaleb Al-Zu'bi

Annex
Schedule of Commercial Sectors

- 1) Foodstuff Sector:
 - Food and food supply materials;
 - Bakeries, restaurants, sweets and cafes;
 - Potable water purification and bottling;
 - Vegetables, fruits and meats;
 - Any other similar trade within the sector.

- 2) Electricity and Electronics Sector:
 - House electrical appliances and accessories thereof;
 - Electric tools and parts thereof;
 - Cooling and air conditions units and accessories thereof;
 - Electronic devices and accessories and maintenance thereof;
 - Any other similar trade within the sector.

- 3) Garment, Nouveauté, and Jewelry Sector:
 - Nouveauté and garment of all types;
 - Shoes, bags and leather products;
 - Threads, fabrics except for curtains, blinds and furniture fabrics;
 - Linen and sheets;
 - Jewelry and ornaments;
 - Any other similar trade within the sector.

- 4) Health, Drugs and Supplies thereof Sector:
 - Drugstores, pharmaceuticals and chemicals and supplies thereof;
 - Fitness and health centers;
 - Medical products, food supplements, and cosmetics;
 - Any other similar trade within the sector.

- 5) Constructions and Building Materials Sector:
 - Building materials and supplies thereof;
 - Ceramics, sanitary units, marble, tiles and porcelain;
 - Paints and accessories thereof;
 - Heating and supplies thereof;
 - Cement, steel, aluminum timber and parquet;
 - Elevators and solar heaters;
 - Doors, windows;
 - Blacksmith and carpentry supplies and industrial tools;
 - Glass, mirrors, frames, securite, and supplies thereof
 - Any other similar trade within the sector.

- 6) Cars, Heavy Machinery and Supplies thereof Sector:
 - Cars, motorcycles and scooters agents and shows;
 - New and used car parts and accessories;

- Agents and merchants of batteries, tyres and accessories thereof;
 - Agents of heavy machines, trucks and accessories thereof;
 - Agents of oils, metal greases and car glass;
 - Car decoration and accessories;
 - Any other similar trade within the sector.
- 7) Financial and Banking Sector:
- Banks;
 - Money exchangers;
 - Insurance works;
 - Financial mediation and investment portfolios;
 - Any other similar trade within the sector.
- 8) House and office furniture and stationery sector:
- Non- electric house tools and supplies;
 - House and office furniture and accessories thereof;
 - Bookshops, books, stationery and supplies thereof;
 - Carpets, moquette, furniture, sponge and accessories thereof;
 - Upholstery, blinds, curtains and mats fabrics;
 - Ready doors and kitchens;
 - Showpieces, gifts, toys, scraps of all kinds;
 - Any other similar trade within the sector.
- 9) Communications and Information Technology Sector:
- Computers and accessories thereof;
 - Communication devices of all kinds and supplies thereof;
 - Mobile phones and accessories thereof;
 - Computer software and systems, information transfer systems and communication services;
 - Technical, scientific, engineering and educational devices;
 - Any other similar trade within the sector.
- 10) Service, Consultancy and other Services Sector:
- Advertisement, publicity and design officers, calligrapher offices and photography studios and supplies;
 - Car and bus rental offices, taxi offices and external travel offices;
 - Fuel station lease and management, gas sales agencies;
 - Fabric and commission agents, commercial mediation and general trading;
 - Domestic workers and servants recruitment offices;
 - Financial, technical, administrative, accounting and tax consultancy offices;
 - Cultural, training and educational centers and publishers and distributors;
 - Real estate offices and real estate brokers and the like;
 - Vessel, navigation and clearing agents;
 - Land, marine and air cargo and goods and passenger transport;
 - Flight agents, tourism and travel offices and hotels;
 - Any other similar trade within the sector.