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LAW NO. 22 OF 2009
AMENDING THE LAW ON SOCIETIES

Article (1):

This law shall be named "The Law Amending the Law on Societies" and shall be read with Law No. 51 of 2008 referred to herein as the "Original Law" as one law and shall be effective as of the date of publication in the Official Gazette.

Article (2):

Article (2) of the Original Law shall be amended by deleting off the phrases and definitions of "Registry Head" and "the Competent Ministry" and replacing them by the following definitions:

The Council: The Registry's Board of Directors formed pursuant to the provisions herein.

Chairman: the Head of the Board

Registrar: the appointed registrar as per the provisions of this law.

The competent ministry: the ministry or the public official institution assigned by the Board to supervise the society and follow up its affairs as per the provisions of this law.

Article (3):

Article (3) of the Original Law shall be amended as follows:

First: Paragraph (a) shall be deleted and replaced by the following text:

a. For the purposes of this law:

1. "Society" shall mean any legal personality composed of a group of people not less than seven and is registered in consistency with the provisions of this law to provide services or undertake activities on voluntary basis without intending to make or share profit, attain advantages for any of its members or a specific person or achieve any political gains in the course of its work subject to the effective legislations.

2. "A Private Society" shall mean the society which membership is limited to a group of people not less than three and not more than twenty.
3. "A Closed Society" is the society which membership is limited to one person or more, having its financial resources limited to those provided by a founding member for the purposes that enable fulfilling its established goals.

Second: Paragraph (d) shall be deleted and replaced by the following:

d. No society with illegal goals or with purposes contradicting with the public system in the Kingdom may be registered.

Article (4):

Article (4) of the Original Law shall be deleted and replaced by articles 4 and 5 as follows:

Article (4):

- a. The Ministry shall create a registry called "the Societies Registry" to be administered and supervised by a council called "the Registry Administration Council" chaired by the Minister and involving:
 1. Registrar (deputy chairman)
 2. Representative of the Ministry of Interior
 3. Representative of the Ministry of Culture
 4. Representative of the Ministry of Tourism and Archeology
 5. Representative of the Ministry of Environment
 6. Representative of the Ministry of Political development.
 7. Four experienced figures in the field of charity or voluntary work appointed by the Cabinet based on the Minister's recommendation for two renewable years. The membership of any of them can be terminated and replacement may be appointed following the same method.
- b. The Cabinet, based on the Minister's recommendation, may add a representative from any other ministry related to the societies activity.
- c. The competent minister shall nominate the Ministry's representative as indicated in 2, 3, 4, 5 and 6 of paragraph (a) and in paragraph (b) of this

article from the employees of the first degree and not below the second degree.

- d. The Deputy Chairman may replace the chairman upon absence.
- e. The Council shall set, by approval of the Cabinet, special guidelines showing the basis for determination of the competent ministry for each society.

Article (5):

- a. The Council shall undertake the following tasks and competencies:
 - 1. Approving the registration of societies and defining the competent ministry as per the established guidelines.
 - 2. Evaluating the societies' performance and activities in coordination with the relevant ministries and issuing an annual report on the status of societies in the Kingdom.
 - 3. Drawing the required plans and programs to upgrade the societies' conditions and help them attain their goals and targets.
 - 4. Administering, supervising and following up the Fund's affairs.
 - 5. Forming one or more committees to amicably settle disputes between the societies.
 - 6. Issuing the necessary instructions to regulate the work of the Registry and coordinate the relationship between the registrar and the competent ministries according to the provisions of this law and the regulations enacted there from.
- b. The Council shall convene by an invitation of its chairman at least once a month and whenever needed. The meeting shall be deemed valid upon the attendance of no less than two thirds of the members including the chairman or the deputy. Decisions are to be taken by the majority of votes. Upon equal voting, the side for which the chairman of the meeting gave his vote shall be outweighed.
- c. The registrar shall be appointed by a resolution of the Cabinet based on the Minister's nomination bearing a general secretary degree and shall be affiliated to the Minister provided that the appointment resolution is approved by a royal decree.

Article [5]:

Article (5) of the Original Law shall be deleted and replaced by the following text under the number [6]:

Article (6):

- a. The registrar shall carry out the following tasks and powers:
 1. Receiving and examining the requests for societies registration either directed to him or sent by other Ministry branches in governorates and provinces and presenting them to the Council.
 2. Registering societies in the entry, issuing a registration certificate for each and publishing the registration ad in the official gazette.
 3. Supervising the registry, running it and following up all the correspondences and dealings related thereof.
 4. Receiving any society-related complaints, referring them to the competent ministry and following them up afterwards.
 5. Any other tasks and competencies assigned by the Council or the Chairman.
- b. The Ministry's General Secretary may undertake the tasks of the registrar upon absence.

Article [6]:

Article (6) of the Original Law shall be amended as follows:

First: the phrase (not less than eleven persons) shall be deleted from the first paragraph.

Second: the phrase "and initiating judicial procedures on their behalf" shall be added after "to follow up the registration procedures" in item 3 of paragraph (a).

Third: The phrase "log observer" in paragraph (a) shall be deleted and replaced by "registrar".

Fourth: Provision No. 9 shall be added to paragraph (b) as follows, with the necessary renumbering of provisions:

9- Good governance and transparency rules.

Article [7]: paragraph (d) of article (7) of the Original Law shall be deleted and replaced with the following:

d- Not to have been convicted with any misdemeanor involving moral turpitude or any other offense.

Article [8]:

Article (8) of the Original Law shall be deleted and articles 6 and 7 shall be renumbered to become 7 and 8 respectively.

Article [9]:

Article 10 of the Original Law shall be amended as follows:

First: The phrase "log observer" in paragraph (a) shall be deleted and replaced by "registrar".

Second: paragraph (b) shall be deleted and replaced with the following:

b- The registrar shall verify, upon receipt of an application, that such has met the requirements of articles 7, 8 and 9 herein. In case of any deficiency, the founding members shall be notified in writing within fifteen days of receiving the application. Has the deficiency not been replenished within six months of the notice, the application shall be deemed null.

Article [10]:

Article (11) of the Original Law shall be deleted and replaced by the following:

Article 11:

- a. The Council shall issue its resolution with regard to the registration application within sixty days of receiving the complete application by the registrar. The aggrieved party may appeal the resolution before the Supreme Court of Justice as per the effective regulations.
- b. In cases other than the ones indicated in paragraph (d) of this article, when the Council doesn't issue a resolution regarding the registration application within the time specified in paragraph (a), such application shall be deemed acceptable legally.

- c. The registrar shall complete the necessary procedures to enter the society in the register within fifteen days of approving its registration.
- d. Notwithstanding any other provision, the Council shall obtain the approval of the Cabinet for registration applications upon any of the following:
 - 1. If one of the Society's founding members was a legal person or a non-Jordanian.
 - 2. If the society applying for registration was a closed society.
 - 3. If the society applying for registration was an exclusive one having a membership of one legal person.
- e. Upon registration of an society subject to this law, the registrar shall issue a registration certificate carrying the name of the society, its head office, the competent ministry, the geographic scope of activity and the certified correspondence address.

Article [11]:

Article (13) of the Original Law shall be amended as follows:

First: Paragraph (a) shall be deleted and replaced by the following

- a. The Society may establish branches inside the Kingdom that are linked to the head office administration and finance wise if its Articles of Society approve such. This may be executed through a resolution taken by the general body by at least a two-third majority. The branch may carry out its activities upon leaving a copy of the general body resolution with the registrar and the competent ministry and informing them of the address of such branch.

Second: Paragraph (b) shall be added to the article as follows:

- b. The existing societies' branches that have been in operation prior to the enforcement of this law shall be considered to have been registered following its provisions and the Articles of Society for the parent society and the internal bylaw of the branch shall apply.

Third: paragraph (b) of this article shall be renumbered to become (c).

Article [12]:

Article (14) of the Original Law shall be amended as follows:

First: The phrase "log observer" in paragraph (a) and (b) shall be deleted and replaced by "registrar"

Second: paragraph (c) shall be deleted and replaced by the following:

c-1 the Society shall file with the competent ministry a copy of all the resolutions issued by its general body within fifteen days of their issuance.

2- Notwithstanding any contradicting provision, the general body's resolution making any amendment on the provisions of the Articles of Society shall not enter effect unless upon the approval of the Council within sixty days of the date of receipt of such resolution by the registrar. The amendment may be deemed effective unless otherwise issued.

Article [13]:

Article (16) of the Original Law shall be amended as follows:

First: the beginning of article (16) of the Original Law shall be considered paragraph (a) while paragraphs a, b and c shall be renumbered to become items 1, 2 and 3 of the same paragraph respectively.

Second: Paragraph (d) of the Original Law shall be deleted and replaced with the following:

(the society's board of directors shall open and regulate the records of memberships and subscriptions containing the names of members, personal information, date of affiliation and subscriptions duly)

It shall be renumbered to become paragraph (b) of this article.

Article [14]:

Article 17 of the Original Law shall be deleted and replaced by the following:

Article (17):

- a. Without prejudice to paragraphs b and c of this article, the society shall disclose in its annual report any donations or funding obtained. The society shall also register in its financial accounts the name of the donor or funder, the amount of the donation, the purpose for which it will be spent and any other conditions thereof.
- b. In case the donation or funding has been offered by a non-Jordanian, the procedures described in paragraph (c) of this article shall be followed provided that such donation or funding;
 - 1. Is of a legitimate source without contradiction to the public order or morals.
 - 2. The conditions specified by the donating or the funding party shall not contradict with the provisions of this law and the society's Articles of Society.
 - 3. Is spent or used for the purpose it was provided for.
- c. 1- In case the society sought a donation or funding from a non-Jordanian, the Cabinet of Ministers shall be notified thereof. The notice submitted shall clarify the source of the donation or funding, its amount, the method of receipt, the purpose for which it will be spent and any other conditions pertaining thereof. In case no negative resolution was issued from the Cabinet within thirty days of the notice receipt, the donation or funding shall be deemed legally acceptable.

2- In case the Cabinet issued a resolution rejecting the donation or funding within the period specified in item 1 of this paragraph, the society shall refrain from receiving such donation or funding. The resolution may be challengeable before the Supreme Court of Justice subject to the effective regulations.
- d. In case the society obtained any donation or funding in contradiction with the provisions of paragraph (b) or paragraph (c) of this article, the Cabinet may transfer the donation or the funding to the Fund unless the donating party refused. This shall take place in addition to any other penalties or procedures stipulated herein and in the applicable laws.

- e. The society shall deposit all its funds in the banks operating inside the Kingdom. The accounts of the society may not enjoy the banking confidentiality against any inquiry raised by the competent minister or the registrar notwithstanding any other regulation.

Article [15]:

The content of paragraph (a) of article (18) of the Original Law shall be deleted and replaced by the following:

- a. The competent minister may form one or more committees for reconciliation in case a dispute arose between the society's members.

Article [16]:

Paragraph (a) of article (19) of the Original Law shall be amended as follows:

First: the following sentence shall be added to the end of the opening paragraph:

" Provided that one member or more from the general body takes part in it whenever possible".

Second: the phrase " and instructions" shall be deleted from item (2) of the article.

Article [17]:

Article (20) of the Original Law shall be amended as follows:

First: the phrase " the competent minister" and " the log observer" shall be deleted from paragraph (b) and shall be replaced by "the Council may, based on the competent minister's nomination" and " the registrar" respectively.

Second: the following sentence shall be added to the end of item 1 of paragraph (b):

"following the competent minister's exhaustion of all the procedures of article (19) of this law".

Third: the phrase "paragraph b" in item 2 of paragraph "b" shall be replaced by the phrase "paragraph c".

Fourth: the phrase "the competent minister" in paragraph "c" shall be replaced by "the council".

Article [18]:

Paragraph (c) of article (21) of the Original Law shall be amended by removing the phrase "the log observer" and replacing it with "the registrar".

Article [19]:

Article (22) of the Original Law shall be amended as follows:

First: paragraph (b) shall be deleted.

Second: item 4 shall be added to paragraph (c) as follows:

4. Any amounts specified by the Cabinet based on the council's recommendation to be allocated for the Fund from the net revenues of any other fund that is aimed to support societies.

Third: the phrase "the Fund administration committee" in item 7 of paragraph (c) shall be removed and replaced by "the Council".

Fourth: items 4, 5, 6 and 7 of article (c) shall be renumbered to become 5, 6, 7 and 8 respectively.

Fifth: the sentence "the Fund's administration committee shall undertake" in paragraph (d) shall be removed and replaced by "the Council shall undertake".

Sixth: paragraphs (c), (d) and (e) shall be renumbered to become b, c and d respectively.

Article [20]:

Article (24) of the Original Law shall be amended as follows:

First: the phrase "with the approval of the competent minister" in paragraph (a) shall be deleted and replaced with "by the approval of the Council based on the competent minister's recommendation".

Second: Paragraph (c) shall be added to the article as follows:

c- No society may become a member in another society.

Article [21]:

Article (26) of the Original Law shall be amended as follows:

First: the word "relevant" shall be replaced with "competent" in the beginning of this article.

Second: the sentence "...shall be imprisoned for no less than three months or fined by no less than one thousand dinars and no more than ten thousand or with both penalties by the Cabinet" shall be replaced by the sentence "...shall be fined by the competent minister by no less than five hundred dinars and no more than five thousand along with returning the amounts that have been kept or used"

Third: Paragraph (a) shall remain as it is and sub-paragraphs a, b and c shall be renumbered to become 1, 2 and 3 respectively. Paragraph (b) shall be added as follows:

b- Nothing in this law shall prevent the enforcement of a more severe penalty stipulated in any other law.

Article [22]:

Article (28) of the Original Law shall be amended as follows:

First: Provision no. 5 of paragraph (a) shall be deleted and provision 6 shall become 5.

Second: Paragraph (b) shall be added as follows:

b-1. Non-profit companies registered according to the provisions of the Companies' Law prior to the enforcement of the provisions herein shall be considered private societies that exist and are registered according to the provisions of this law.

2- Notwithstanding the stipulations of item 1 of this paragraph, in case the non-profit company has been exercising financial activities, it may then be transformed, upon its own request, into a commercial company subject to the conditions and

procedures approved by the Cabinet for this purpose and based on the recommendation of the Minister of Industry and Commerce.

Third: The phrase "the competent minister" in paragraph (b) shall be replaced with "the Council".

Fourth: Paragraph (c) shall be deleted and replaced with the following text:

c- The Council may issue any necessary instructions to enable the societies and unions to settle their conditions as per the provisions of this law and the regulations issued accordingly.

Fifth: Paragraphs (b) and (c) shall be renumbered to become (c) and (d) respectively.

Article [23]:

The Original Law shall be amended by adding article (29) as follows:

Article (29):

Notwithstanding any contradicting provisions:

- a. The Christian religious entities and monasteries in the Kingdom may offer social and charitable services aimed at the welfare of the needy people without intending to make or share profit or compromising faith provided that the approval of the Council is obtained for the creation and administration of such services and for any amendments thereafter.
- b. The Council shall define the competent ministry responsible for monitoring and supervising these social services in order secure that such services achieve their objectives and public welfare. Such monitoring and supervision shall be limited to the services themselves apart from the religious body or monastery thereof.
- c. For the purposes of this article, charity social services shall include the establishment of shelters, educational centers for the needs or community centers for the poor or distributing regular cash or in-kind assistance, providing organized medical care and other similar services for public welfare.

- d. Christian religious entities and monasteries operating in the Kingdom shall continue to provide charity social services which had already been approved prior to the enforcement of this law.

Article [24]:

Article (29) of the Original Law shall be amended as follows:

First: the following sentence shall be added towards the ending of paragraph (a):

"..including a regulation for private societies defining their purposes, provisions prevailing upon the withdrawal or death of a member, dissolution provisions and devolution of funds upon dissolution".

Second: "minister" in paragraph (b) shall be replaced by "the council".

Article [25]:

The Original Law shall be amended by renumbering articles 29, 30 and 31 to become 30, 31 and 32 respectively.

11/08/2009