

# THE CONSTITUTION OF THE HASHEMITE KINGDOM OF JORDAN, 1952

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

## CHAPTER I THE STATE AND SYSTEM OF GOVERNMENT

### Article 1

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

### Article 2

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

### Article 3

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

### Article 4

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

## CHAPTER II RIGHTS AND DUTIES OF JORDANIANS

### Article 5

Jordanian nationality shall be defined by Law.

### Article 6

(i) Jordanians shall be equal before the Law. There shall be no discrimination between them as regards to their rights and duties, on grounds of race, language or religion.

(ii) The Government shall ensure work and education within the limits of its possibilities, and shall ensure a state of tranquility and equal opportunities to all Jordanians.

#### Article 7

Personal freedom shall be guaranteed.

#### Article 8

No person may be detained or imprisoned except in accordance with the provisions of the law.

#### Article 9

(i) No Jordanian shall be deported from the territory of the Kingdom.

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

#### Article 10

Dwelling houses shall be inviolable and shall not be entered except in the circumstances and manner prescribed by Law.

#### Article 11

No property of any person shall be expropriated except for purposes of public utility and in consideration of a just compensation, as may be prescribed by Law.

#### Article 12

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

#### Article 13

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

(i) In a state of necessity, such as a state of war, the occurrence of a public danger, or fire, flood, famine, earthquake, serious epidemic amongst human beings or animals or animal diseases, insects or pests or any other similar event, or in any other circumstances which would endanger the safety of the population, in whole or in part.

(ii) As a result of the conviction of the person concerned by a Court of law, provided that the work is done and the service is rendered under the supervision of an official authority and provided further that no convicted person shall be hired to, or placed at the disposal of, any person company or public body.

#### Article 14

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

#### Article 15

(i) The State shall guarantee freedom of opinion. Every Jordanian shall be free to express his opinion by speech, in writing, or by means of photographic representation and other forms of expression, within the limits of the law.

(ii) Freedom of the press and publications shall be ensured within the limits of the law.

(iii) Newspapers shall not be suspended from publication nor their permits be withdrawn except in accordance with the provisions of the law.

(iv) In the event of the declaration of martial law or a state of emergency, a limited censorship on newspapers, pamphlets, books and broadcasts in matters affecting public safety or national defence may be imposed by law.

(v) Control of the resources of newspapers shall be regulated by law.

#### Article 16

(i) Jordanians shall have the right to hold meetings within the limits of the law.

(ii) Jordanians are entitled to establish societies and political parties provided that the objects of such societies and parties are lawful, their methods peaceful, and their by-laws not inconsistent with the provisions of this Constitution.

(iii) The establishment of societies and political parties and control of their resources shall be regulated by law.

#### Article 17

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

#### Article 18

All postal, telegraphic and telephonic communications shall be treated as secret, and as such shall not be subjected to censorship or suspension except in circumstances prescribed by law.

#### Article 19

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

#### Article 20

Elementary education shall be compulsory for Jordanians and free of charge in government schools.

#### Article 21

(i) Political refugees shall not be extradited on account of their political beliefs or for their defence of liberty.

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

#### Article 22

(i) Every Jordanian shall be entitled to be appointed to public offices under such conditions as are prescribed by law or regulations.

(ii) Appointment to any government office or to any institution attached to the Government, or to any municipal office, whether such appointment is permanent or temporary, shall be made on the basis of merits and qualifications.

#### Article 23

(i) It is the right of every citizen to work, and the State shall provide opportunities for work to all citizens by directing the national economy and raising its performance level.

(ii) The State shall protect labour and enact legislation to this effect based on the following principles:

(a) Every workman shall receive wages commensurate with the quantity and quality of his work.

(b) The number of hours of work per week shall be limited. Workers shall be given weekly and annual days of paid rest.

(c) Special compensation shall be given to workers supporting families and on dismissal, illness, old-age and emergencies arising out of the nature of their work.

(d) Special conditions shall be made for the employment of women and juveniles.

(e) Factories and workshops shall be subject to health rules.

(f) Free Trade unions shall be formed within the limits of law.

### CHAPTER III

#### POWERS OF THE STATE: GENERAL PROVISIONS

#### Article 24

(i) The Nation is the source of all powers.

(ii) The Nation shall exercise its powers in the manner prescribed by this Constitution.

#### Article 25

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

#### Article 26

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

#### Article 27

The Judicial Power shall be exercised by the different courts of law, and all judgments shall be given in accordance with the law and pronounced in the name of the King.

### CHAPTER IV THE EXECUTIVE POWER

#### PART I THE KING AND HIS PREROGATIVES

#### Article 28

The throne of the Hashemite Kingdom is limited by inheritance to the dynasty of King Abdullah Ibn Al-Hussein in a direct line through his male heirs as provided in the following provisions:

- (a) The Royal title shall pass from the holder of the Throne to his eldest son, and to the eldest son of that son and by similar process thereafter. Should the eldest son die before the Throne devolves upon him, his eldest son shall inherit the Throne, despite the existence of brothers of the deceased son. The King, however, may select one of his brothers as heir apparent. In the latter case, title to the Throne shall pass to him from the holder of the Throne.
- (b) Should the person entitled to the Throne die without a male heir, the Throne shall pass to his eldest brother. In the event that the holder of the Throne has no brothers, the Throne shall pass to the eldest son of his eldest brother. Should his eldest brother have no son, the Throne shall pass to the eldest son of his other brothers according to their seniority in age.
- (c) In the absence of any brothers or nephews, the throne shall pass to the uncles and their descendants according to the order prescribed in paragraph (b) above.
- (d) Should the last King die without any heir, in the manner prescribed above, the Throne shall devolve upon the person whom the National Assembly shall select from amongst the descendants of the founder of the Arab Revolt, the late King Hussein Ibn Ali.
- (e) No person shall ascend the Throne unless he is a Moslem, mentally sound and born by a legitimate wife and of Moslem parents.
- (f) No person shall ascend the Throne who has been excluded from succession by a Royal Decree on ground of his unsuitability. Such exclusion shall not of itself include the descendants of such person. The Royal Decree of exclusion shall be signed by the Prime Minister and by four Ministers at least of whom two shall be the Minister of Justice and Minister of Interior.

(g) The King attains his age of majority upon the completion of his eighteenth year, according to the lunar calendar. If the Throne devolves upon a person who is under this age, the powers of the King shall be exercised by a Regent or Council of Regency, who shall have been appointed by a Royal Decree by the reigning King. If the King dies without making such nomination, the Council of Ministers shall appoint the Regent or Council of Regency.

(h) In the event of the King becoming unable to exercise his powers through illness, His powers shall be exercised by a Viceregent or Council of Viceregents. Such Viceregent or Council of Viceregents shall be appointed by a Royal Decree, and if the King is incapable of making such appointment, the appointment shall be made by the Council of Ministers.

(i) Should the King desire to leave the country, he shall, before his departure, appoint, by a Royal Decree a Viceregent or Council of Viceregents to exercise his powers during his absence. The Viceregent or Council of Viceregents shall observe any conditions which may be prescribed in the Royal Decree. If the absence of the King is extended to more than four months and the National Assembly is not in session, the Assembly shall be summoned immediately to consider the matter.

(j) Before the Regent or Viceregent or any member of the Council of Regency or of the Council of Viceregents assumes his office, he shall take an oath, as prescribed in Article 29 hereof, before the Council of Ministers.

(k) In the event of the death of the Regent or Viceregent, or member of the Council of Regency or of the Council of Viceregents, or should he become incapable of performing his duties, the Council of Ministers shall appoint a suitable person to replace him.

(l) A Regent, or Viceregent, or member of the Council of Regency or of the Council of Viceregents must not be less than thirty years of age, according to the lunar calendar year. However, any male relative of the King who has completed his eighteenth year of age, may be appointed to any such office.

(m) In the event of the King being incapacitated by any mental illness, the Council of Ministers, on confirmation of his illness, shall immediately convene the National Assembly. Should the illness be definitely confirmed, the National Assembly shall, by resolution, depose the King, whereupon title to the Throne shall devolve upon the person entitled thereto after him according to the provisions of this Constitution. If the House of Deputies stands dissolved at the time, or if its term had expired and no new House had been elected, the former House of Deputies shall be convened for the purpose.

#### Article 29

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

#### Article 30

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

#### Article 31

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

#### Article 32

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

#### Article 33

(i) The King declares war, concludes peace and confirms treaties and agreements.

(ii) Treaties and agreements which involve financial commitments to the Treasury or affect the public or private rights of Jordanians shall not be valid unless they are sanctioned by the National Assembly. In no circumstances shall any secret terms contained in any treaty or agreement be contradictory to their overt terms.

#### Article 34

(i) The King issues orders for the holding of elections to the House of Deputies in accordance with the provisions of the law.

(ii) The King convenes the National Assembly, inaugurates it, adjourns it, and prorogues it in accordance with the provisions of the Constitution.

(iii) The King may dissolve the House of Deputies.

(iv) The King may dissolve the Senate or he may suspend the membership of one of its members.

#### Article 35

The King appoints the Prime Minister, dismisses him or accepts his resignation. Ministers are appointed, dismissed and their resignations accepted by the King upon the recommendation of the Prime Minister.

#### Article 36

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

#### Article 37

(i) The King creates, grants and withdraws military and civil ranks, medals and honourable titles and may delegate this authority to any other person by special law.

(ii) Currency shall be minted in the name of the King, in execution of the law.

#### Article 38

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

#### Article 39

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

#### Article 40

The King shall exercise the powers vested in Him by Royal Decrees. Any such Decree shall be signed by the Prime Minister and the Minister or Ministers concerned. The King expresses his concurrence by placing his signature above the signatures of the other ministers.

### PART II MINISTERS

#### Article 41

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

#### Article 42

No person shall be appointed as a minister unless he is a Jordanian.

#### Article 43

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

“I swear by God, the Almighty, to be loyal to the King, uphold the Constitution, serve the nation and perform the duties entrusted to me with honesty.”

#### Article 44

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

#### Article 45

(i) The Council of Ministers shall be entrusted with the responsibility of administering all affairs of the State, internal and external, with the exception of such matters which are or may be entrusted by this Constitution or by any other legislation to any other person or body.

(ii) The duties of the Prime Minister, the Ministers and the Council of Ministers shall be prescribed by regulations made by the Council of Ministers and confirmed by the King.

#### Article 46

Any Minister may be entrusted with one or more Ministries as may be stated in the Order of Appointment.



#### Article 47

(i) Every Minister shall be responsible for the conduct of all matters pertaining to his Ministry. He shall refer to the Prime Minister any matter not falling within his jurisdiction.

(ii) The Prime Minister shall dispose of all matters within his powers and jurisdiction and shall refer other matters to the Council of Ministers for such decision as may be necessary.

#### Article 48

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

#### Article 49

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

#### Article 50

In the event of the resignation or release of the Prime Minister from his office, all Ministers shall be considered to have automatically resigned or released from their offices, as the case may be.

#### Article 51

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

#### Article 52

The Prime Minister, or any Minister who is a member of either the House of Deputies or the Senate, shall be entitled to vote in the House to which he belongs and to speak in both Houses. However, Ministers who are not members of either House can speak in both Houses without the right to vote..

#### Article 53

(i) A vote of no confidence in the Council of Ministers or in any Minister may be cast by the House of Deputies.

(ii) If the House of Deputies casts a vote of no confidence in the Council of Ministers by an absolute majority of all its members, the Council of Ministers must tender its resignation.

(iii) If the vote of no confidence concerns an individual Minister, that minister alone must resign his office.

#### Article 54

(i) A session to consider a vote of confidence in the Council of Ministers or in any individual Minister shall be held at the request of the Prime Minister or at a request signed by no less than ten Deputies.

(ii) A vote of confidence in the Council of Ministers or in any individual Minister may be postponed only for one period not exceeding ten days, either upon the request of the Minister concerned, or of the Council of Ministers. The House shall not be dissolved during this period.

(iii) Every newly formed Council of Ministers shall, within one month of its formation, in cases where the House of Deputies is in session, place before the House of Deputies a statement of its policy and ask for a vote of confidence on the basis of that statement. If the House of Deputies is not in session at the time, or was dissolved, the Speech from the Throne shall be considered a statement of its policy for the purposes of this Article.

#### Article 55

Ministers shall be tried by a High Tribunal for offences which may be attributed to them in the course of the performance of their duties.

#### Article 56

The House of Deputies is entitled to impeach Ministers, but a bill of impeachment shall not be passed except by a majority of two-thirds of the members of the House. The House of Deputies shall appoint, from among its members, Deputies who shall present the impeachment to, and endorse it before, High Tribunal.

#### Article 57

The High Tribunal for the trial of Ministers shall consist of the Speaker of the Senate as President and eight members, three of whom shall be selected by ballot by the Senate from amongst its members and five members to be selected from amongst the judges of the highest Civil Court in order of seniority. In case of necessity, the number shall be completed from Presidents of the lower Courts, in order of seniority also.

#### Article 58

The High Tribunal shall apply the provisions of the Penal Code in force in respect of offences specified therein. A special law shall specify the offences for which Ministers shall be responsible in cases where such offences are not covered by the Penal Code.

#### Article 59

Judgements shall be given by the High Tribunal by a majority of six votes.

#### Article 60

The High Tribunal shall make its own Rules of Procedure in trying Ministers until such time as a special law for this purpose is promulgated.

## Article 61

A Minister who is impeached by the House of Deputies shall be suspended from office until his case is determined by the High Tribunal. His resignation shall not prevent the taking of criminal proceedings against him, or the continuance of his trial.

## CHAPTER V

### THE LEGISLATIVE POWER; THE NATIONAL ASSEMBLY

## Article 62

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

## PART I

### THE SENATE

## Article 63

The Senate, including the Speaker, shall consist of no more than one-half of the number of the members of the House of Deputies.

## Article 64

In addition to the requirements prescribed in Article 75 of this Constitution, a Senator must have completed forty calendar years of age and must belong to one of the following classes. Present and Past Prime Ministers and Ministers, persons who had previously held the office of Ambassador, Minister Plenipotentiary, Speaker of the House of Deputies, President and Judges of the Court of Cassation, and of the Civil and *Shari'a* Courts of Appeal, retired military officers of the rank of Lt. General and above, former Deputies who were elected at least twice as Deputies and other similar personalities who enjoy the confidence and trust of the people in view of the services they had rendered to the nation and country.

## Article 65

(i) The term of office of Senators shall be for four years, and their appointment shall be renewed every four years. Senators whose term of office have expired may be reappointed for a further term.

(ii) The term of office of the Speaker of the Senate shall be for two years but he may be reappointed for a further term.

## Article 66

(i) The Senate shall meet simultaneously with the House of Deputies and the sessions shall be the same for both Houses.

(ii) If the House of Deputies is dissolved, the sessions of the Senate shall be suspended.

## PART II

### THE HOUSE OF DEPUTIES

## Article 67

The House of Deputies shall consist of members, elected by secret ballot, in a general direct election and in accordance with the provisions of an Electoral Law which shall ensure the following principles:

- (i) The validity of the elections
- (ii) The right of candidates to supervise the process of election.
- (iii) The punishment of any person who may adversely influence the will of voters.

#### Article 68

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

#### Article 69

- (i) The House of Deputies shall elect its Speaker at the beginning of each ordinary session by a secret ballot for a period of one calendar year, but he may be re-elected.
- (ii) If the House of Deputies holds an extraordinary session and has no Speaker, the House shall elect its Speaker whose term of office will terminate at the beginning of the ordinary session.

#### Article 70

In addition to the requirements prescribed in Article 75 of this Constitution, a Deputy must have completed thirtieth calendar year of his age.

#### Article 71

The House of Deputies shall have the right to decide on the validity of the election of its members. Any voter shall have the right to present a petition to the Secretariat of the House within fifteen days of the announcement of the results of the elections in his constituency, setting out the legal reasons for invalidating the election of any Deputy. No election shall be considered invalid unless it has been declared as such by a majority of two-thirds of the members of the House.

#### Article 72

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

#### Article 73

- (i) If the House of Deputies is dissolved, a general election must take place, and the new House assembled in an extraordinary session, not later than four months from the

date of its dissolution. Such session shall be deemed to be an ordinary session within the meaning of Article 78 of this Constitution and shall be subject to the conditions prescribed therein for prolongation or adjournment.

(ii) If no elections have taken place by the end of the four months, the dissolved House shall have its full constitutional powers restored and assemble forthwith as if its dissolution had not taken place and shall remain in office until the election of a new House.

(iii) Such extraordinary session shall not, at any event, continue after the 30th day of September and shall be prorogued on that date so that the House may be able to convene its first ordinary session on the first day of October. If such extraordinary session is convened in the month of October or November, it shall be regarded as the first ordinary session of the House of Deputies.

(iv) Notwithstanding the provisions of paragraphs (i) and (ii) of this Article, the King may postpone holding general elections—for a period not exceeding one year—if a *force majeure* has occurred which the Council of Ministers considers as rendering the holding of elections impossible.

(v) Should the *force majeure* stated in paragraph (iv) hereof persist, the King may, upon a decision by the Council of Ministers, reinstate and convene the dissolved House. Such House shall be deemed as having been in existence in all respects from the date of the issue of the Royal Decree effecting its reinstatement. The House shall exercise its full constitutional powers and be subject to the provisions stated in this Constitution, including those pertaining to the term of the House and its dissolution. The session which it holds in such case shall be considered the first ordinary session regardless of the date when it takes place.

(vi) Should the Council of Ministers consider that the holding of general elections in at least one half of the constituencies is possible in spite of the persistence of the *force majeure* referred to in this Article, the King may order the holding of elections in such constituencies. The successful members shall elect not more than one-half of the number of the members for the other constituencies in which it was impossible to hold elections, provided that they can hold a (valid) meeting only by a majority of three-quarters of their number, and provided also that the elections shall be by at least two-thirds majority and shall be in accordance with the provisions and in the manner provided for in Article (88) of the Constitution. The successful members and the members elected in accordance with this paragraph shall elect the remaining members for the said constituencies in accordance with the provisions of this paragraph.

#### Article 74

If the House of Deputies was dissolved for any reason, the new House shall not be dissolved for the same reason. A Minister who intends to nominate himself for election must resign fifteen days at least before the beginning of the nomination.

### PART III

#### PROVISIONS GOVERNING BOTH HOUSES OF PARLIAMENT

#### Article 75

(i) No person shall become a Senator or Deputy:

- (a) Who is not a Jordanian.
- (b) Who claims foreign nationality or protection.
- (c) Who was adjudged bankrupt and has not been legally discharged.
- (d) Who was interdicted for any reason and the interdiction has not been removed.
- (e) Who was sentenced to a term of imprisonment exceeding one year for a non-political offence and has not been pardoned.
- (f) Who has a material interest in any contract, other than a contract or lease of land and property, with any Department of Government, provided that this provision shall not apply to any shareholder in a company of more than ten members.
- (g) Who is insane or an imbecile.
- (h) Who is related to the King within a degree of consanguinity to be prescribed by special law.
- (ii) Should any Senator or Deputy become disqualified during his term of office or should it appear after his election that he lacks one or more of the qualifications stated in the preceding paragraph, his membership shall, by a resolution of two-thirds of the House to which he belongs, be considered extinct and vacant, provided that such a resolution, if passed by the Senate, is submitted to the King for approval.

#### Article 76

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

#### Article 77

Subject to the provisions of this Constitution relating to the dissolution of the House of Deputies, the National Assembly shall hold one ordinary session during every year of its term.

#### Article 78

- (i) The King shall summon the National Assembly to an ordinary session on the first day of October of each year or, if that day is an official holiday, on the first day following the official holiday, provided that the King may, by Royal Decree published in the *Official Gazette*, postpone for a period not exceeding two months, the summoning of the Assembly to a date to be fixed by the Royal Decree.
- (ii) If the National Assembly is not summoned in accordance with the preceding paragraph, it shall assemble of its own motion as if it was so summoned.
- (iii) The ordinary session of the National Assembly shall begin on the date upon which it was summoned to meet in accordance with the two preceding paragraphs, and shall last for four months unless the House of Deputies is dissolved by the King

before the expiration of that period. The session may be prolonged by the King for a further period not exceeding three months to allow for the despatch of pending matters. At the expiration of the four months or any such prolongation thereof, the King shall prorogue the Assembly.

#### Article 79

The King shall open the ordinary session of the National Assembly by a Speech from the Throne addressed to both the Senate and the House of Deputies. He may deputise the Prime Minister or any of the Ministers to perform the opening ceremony and deliver the Speech from the Throne. The House of Deputies and the Senate shall each submit a petition which shall contain its reply thereto.

#### Article 80

Every Senator and Deputy shall, before taking his seat, take an oath before his House as follows:

“I swear by the Almighty God to be loyal to the King and to the country and uphold the Constitution, serve the Nation and duly perform the duties entrusted to me”.

#### Article 81

(i) The King may, by Royal Decree, adjourn the sessions of the National Assembly not more than three times, or two times only if he had postponed the meeting of the National Assembly under paragraph (i) of Article (78), provided that during any one session the period of such postponement shall not exceed two months in the aggregate, including the period of postponement. In computing the term of the session, the periods covered by any such adjournment shall not be taken into account.

(ii) The Senate and the House of Deputies may adjourn their session from time to time in conformity with their own Internal Regulations.

#### Article 82

(i) The King may, whenever necessary, convene the National Assembly to meet in an extraordinary session for an unspecified period for the purpose of deciding matters to be specified in the Royal Decree, when the summons is issued. An extraordinary session shall be prorogued by a Royal Decree.

(ii) The King may convene the National Assembly to meet in an extraordinary session at the request of an absolute majority of the Deputies. Such request shall be contained in a petition specifying the matters which it is desired to discuss.

(iii) The National Assembly shall not discuss in any extraordinary session except such matters as are specified in the Royal Decree convening the session.

#### Article 83

The Senate and the House of Deputies shall each make its Internal Regulations for the control and organizations of its own proceedings and shall submit such Orders to the King for confirmation.

#### Article 84

(i) No meeting of either House shall be considered valid unless it is attended by two-thirds of the members of either House, and shall continue to be considered valid as long as an absolute majority of the members of either House is present.

(ii) Resolutions by the Senate and the House of Deputies shall be taken by majority of votes of the members present, excluding the Speaker, who shall not vote except where it is otherwise provided in this Constitution. In the case of equality of votes, the Speaker shall give a casting vote.

(iii) If the voting is related to the Constitution, or to a vote of no confidence in the Council of Ministers, or in an individual Minister, the votes shall be taken by calling the names of members in a loud voice.

#### Article 85

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

#### Article 86

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

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

#### Article 87

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

#### Article 88

When a seat becomes vacant in the Senate or in the House of Deputies by death or resignation or for any other reason, it shall be filled by appointment in the case of a Senator and by the holding of a by-election in the case of a deputy within a period of two months from the date on which the Government is notified of the vacancy by the House. The term of the new member shall be for the remaining part of the term of his predecessor.

However, if a seat in the House becomes vacant for any constituency for any reason and should there be *force majeure* on account of which the Council of Ministers considers that rendering a by-election to fill that seat is impossible, the House of Deputies, by the absolute majority of its members and within one month of its being



notified thereof, shall elect a member to fill the said seat from amongst the inhabitants of the said constituency to who the provisions of the Constitution are applicable and in the manner the House deems appropriate.

#### Article 89

(i) In addition to the circumstances under which the Senate and House of Deputies may assemble in a joint meeting as prescribed in Articles (34), (79) and (92) of this Constitution, both Houses shall also hold a joint meeting at the request of the Prime Minister.

(ii) When the Senate and House of Deputies assemble in a joint meeting, the meeting shall be presided over by the Speaker of the Senate.

(iii) A joint meeting of the Senate and House of Deputies shall not be considered valid unless an absolute majority of members of each House is present. Resolutions at such a meeting shall be taken by a majority of the Senators and Deputies present, exclusive of the Speaker who, in case of equality of votes, shall have a casting vote.

#### Article 90

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

#### Article 91

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

#### Article 92

Should either the Senate or the House of Deputies twice reject any draft law and the other accept it, whether in a revised form or otherwise, both the Senate and the House shall assemble in a joint meeting under the chairmanship of the Speaker of the Senate to discuss the disputed points. Acceptance of the draft law shall be conditional upon the passing of a resolution by a two-thirds majority of the Senators and Deputies present. If the draft law is rejected as described above, it shall not be placed again before the House during the same session.

#### Article 93

(i) Every draft law passed by the Senate and the House of Deputies shall be submitted to the King for his ratification.

(ii) Any law shall become effective upon the King's promulgation after thirty days from the date of its publication in the Official Gazette unless it is specifically provided in that law that it shall come into force on any other specified date.

(iii) If the King did not see fit to give his assent to any law, He may, within six months from the date on which the law was submitted to him, return it to the House with a statement showing the reasons for withholding his assent.

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

#### Article 94

(i) In cases where the National Assembly is not sitting or is dissolved, the Council of Ministers has, with the assent of the King, the power to issue provisional laws covering matters which require necessary measures which admit of no delay or which necessitate expenditures incapable of postponement. Such provisional laws, which should not contravene the provisions of the Constitution, shall have the force of law, provided that they are placed before the Assembly at the beginning of its next session and the Assembly may approve or amend such laws. In the event of the rejection of such provisional laws, the Council of Ministers shall, with the sanction of the King, immediately declare their nullity, and from the date of declaration such provisional laws shall cease to be in force provided that such nullity shall not affect any contracts or acquired rights.

(ii) Provisional laws shall have the same force and effect as the laws promulgated in accordance with paragraph (ii) of Article (93) of this Constitution.

#### Article 95

(i) Any ten or more Senators or Deputies may propose any law. Such proposal shall be referred to the committee concerned in the House for its opinion. If the House is of the opinion that the proposal be accepted, it shall refer it to the Government for drafting it in the form of draft law, and submit it to the House either during the same session or in the following session.

(ii) Any law proposed by Senators or Deputies under the preceding paragraph and rejected by either House shall not be presented for a second time during the same session.

#### Article 96

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

### CHAPTER VI THE JUDICIARY

#### Article 97

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

#### Article 98

Judges of the Civil and *Shari'a* Courts shall be appointed and dismissed by a Royal Decree in accordance with the provisions of the law.

#### Article 99

The courts shall be divided into three categories:

- (i) Civil Courts
- (ii) Religious Courts
- (iii) Special Courts

#### Article 100

The establishment of the different courts, the definition of their categories and their divisions, the limitation of their jurisdiction and their administration shall be determined by a special law which shall provide for the establishment of a High Court of Justice.

#### Article 101

- (i) The courts shall be open to all and shall be free from any interference in their affairs.
- (ii) The sittings of the courts shall be public unless the court considers that it should sit in camera in the interest of public order or decorum.

#### Article 102

The Civil Courts in the Hashemite Kingdom of Jordan shall have jurisdiction over all persons in all matters, civil and criminal, including cases brought by or against the Government, except in matters which, by the provisions of the Constitution, or of any Law for the time being in force, fall within the jurisdiction of Religious Courts or Special Courts.

#### Article 103

- (i) The Civil Courts shall exercise their jurisdiction in civil and criminal matters in accordance with the law for the time being in force in the Kingdom, provided that in matters affecting the personal status of foreigners or in matters of a civil and commercial nature in which it is customary by international usage to apply the law of another country, that law shall be applied in a manner to be prescribed by the law.
- (ii) Matters of personal status are those matters which are defined by law and are within the exclusive jurisdiction of the *Shari'a* Courts where the parties are Moslems.

#### Article 104

The Religious Courts shall be divided into:

- (i) The *Shari'a* Courts
- (ii) The Tribunals of other Religious Communities.

Article 105

The *Shari'a* Courts shall have exclusive jurisdiction in the following matters in accordance with its special laws:

- (i) Matters of Personal status of Moslems.
- (ii) Cases concerning blood money (*Diya*) where the two parties are Moslems or where one of the parties is not a Moslem and the two parties consent to the jurisdiction of the *Shari'a* Courts.
- (iii) Matters pertaining to Islamic *Wakfs*.

Article 106

The *Shari'a* Courts shall apply in its proceedings the provisions of the *Shari'a* Law.

Article 107

The organization of the affairs of Moslem trusts (*Wakfs*) and the administration of their financial affairs and other related matters shall be regulated by a special law.

Article 108

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

Article 109

- (i) Tribunals of Religious Communities shall be established in accordance with the provisions of laws pertaining thereto. Such laws shall define the jurisdiction of such Tribunals in matters of personal status and trusts (*Wakfs*) constituted for the benefit of the community concerned. Matters of personal status of any such community shall be the same matters as are, in the case of Moslems, within the jurisdiction of the *Shari'a* Courts.
- (ii) Such laws shall determine the procedure to be followed by the Tribunals of the Religious Communities.

Article 110

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

## CHAPTER VII FINANCIAL MATTERS

Article 111

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

#### Article 112

(i) The draft law covering the General Budget shall be submitted to the National Assembly for consideration in accordance with the provisions of this Constitution at least one month before the beginning of the financial year.

(ii) Voting in respect of the budget shall take place on each chapter separately.

(iii) No sum falling within the expenditure section of the General Budget may be transferred from one chapter to another except by law.

(iv) The National Assembly, when debating the General Budget draft law or the provisional laws relating thereto, may reduce the expenditures under the various chapters according to what it considers is in the public interest, but shall not increase such expenditures either by amendment or by submitting a separate proposal. However, the National Assembly may, after the debate, propose laws for the creation of new expenditures.

(v) During the debate of the General Budget, no proposal shall be accepted for the repeal of an existing tax or the creation of a new tax or the amendment of existing taxes which are levied by financial laws in force, and no proposal shall be accepted for amending expenditure or revenues fixed by contract.

(vi) The estimates of national revenue and expenditures for each financial year shall be approved by the General Budget Law, provided that the Law may provide for the allocation of any special sums for a period exceeding one year.

#### Article 113

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

#### Article 114

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

#### Article 115

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

#### Article 116

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

#### Article 117

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

#### Article 118

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

#### Article 119

An Audit Office shall be constituted by law to audit the State's revenues, its expenses and the manner of expenditure:

(i) The Audit Office shall submit to the House of Deputies at the beginning of every ordinary session, or whenever the House so demands, a general report embodying its views and comments and indicating any irregularities committed and the responsibility arising therefrom.

(ii) The law shall make provision for the immunity of the Head of the Audit Office.

### CHAPTER VIII GENERAL PROVISIONS

#### Article 120

The administrative divisions of the Hashemite Kingdom of Jordan, the establishment of the Government Departments, their classification, designation, the programme of operations and the manner of their appointment of civil servants, their dismissal, their discipline, supervision and definition of their jurisdiction and powers shall be governed by regulations issued by the Council of Ministers with the approval of the King.

#### Article 121

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

#### Article 122

The High Tribunal provided for in Article (57) shall have the right to interpret the provisions of the Constitution either at the request of the Council of Ministers or by a resolution taken by any House of the National Assembly, passed by an absolute majority. Such interpretation shall be implemented upon its publication in the Official Gazette.

#### Article 123

(i) The Special Tribunal (*Diwan Khas*) may interpret the text of any law which has not been interpreted by the Courts at the request of the Prime Minister.

(ii) The Special Tribunal shall consist of the President of the highest Civil Court as chairman, two of its judges and one senior administrative official who shall be appointed by the Council of Ministers as members. It shall also include a member, delegated by the Minister, from among the senior officials of the Ministry concerned.

(iii) The Special Tribunal shall give its decisions by a majority of votes.

(iv) Decisions given by the Special Tribunal and published in the Official Gazette shall have the force of law.

(v) All other matters concerning the interpretation of law shall be decided as they arise by the courts of law in the ordinary way.

#### Article 124

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

#### Article 125

(i) In the event of an emergency of a serious nature to the extent that action under the preceding Article of this Constitution would be considered insufficient for the defence of the Kingdom, the King may, by a Royal Decree, based on a decision of the Council of Ministers, declare martial law in all or any part of the Kingdom.

(ii) When martial law is declared the King may, by a Royal Decree, issue such instructions as may be necessary for the defence of the Kingdom, notwithstanding the provisions of any law in force. Persons acting under such instructions shall not incur any legal liability for all acts done by them under the provisions of any law such until they are released from that responsibility by a special law to be enacted for the purpose.

#### Article 126

(i) The procedure prescribed in this Constitution with regard to draft laws shall apply to any draft law for the amendment of this Constitution, provided that any such amendment is passed by a two-thirds majority of members of both the Senate and the House of Deputies separately. In the event of a joint meeting of the Senate and the House of Deputies, in accordance with Article (92) of this Constitution, the amendment must be passed by a two-thirds majority of members of both houses provided that, in each case, the amendment shall not come into force unless approved by the King.

(ii) No amendment of the Constitution affecting the rights of the King and the succession to the Throne may be passed during a period of Regency.

#### Article 127

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

(i) Recruitment to the Army, its organization and the rights and duties of its personnel shall be defined by law.

(ii) The organization of the police and gendarmerie and their powers and jurisdiction shall be defined by law.

#### CHAPTER IX ENFORCEMENT AND REPEAL OF LAWS

#### Article 128

All laws, regulations and other existing legislation in force in the Hashemite Kingdom of Jordan at the date of entry into force of this Constitution shall continue to be in force until they are repealed or amended by the legislation issued thereunder.

#### Article 129

(i) The *Constitution of Jordan issued on the 7th December, 1946*, together with all amendments thereto, are hereby repealed.

(ii) The Palestine Order-in-Council for the Year 1922 and all amendments thereto are hereby repealed.

(iii) The repeals referred to in the preceding two paragraphs shall not affect the validity of any law or regulation made or act done in virtue thereof, prior to the coming into force of the provisions of this Constitution.

#### Article 130

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

#### Article 131

The Council of Ministers shall be charged with the execution of the provisions of this Constitution.