We, Faisal Bin Al-Hussein, Viceroy of His Majesty The Exalted King, in conformity with Article (31) of the Constitution, and in accordance with the resolution passed by the Council of Notables (Senate) and the Parliament, we rectify the following Law, and order for its issuance and addition to the Laws of the State:

Law No. (28) for the year 2001 Commercial Agents and Mediators Law

Article 1:
This Law shall be called the (Commercial Agents and Mediators Law for the year 2001), and shall be applicable thirty days following the date of its publication in the official gazette.

Article 2:
The following words and expressions, wherever they occur in this Law, shall have the meanings allocated thereto below, unless the context indicates otherwise:
The Minister: The Minister of Industry and Trade.
The Principal: The Procedure or manufacturer, or the distributor authorized by any of them, or the exporter or provider of a commercial service. The head office of any of them would be outside the Kingdom, and he would appoint an agent for him therein. The Commercial Agent: The person authorized by the principal to act as an agent or representation thereto in the Kingdom, or as a distributor of its products therein, whether as a commission agent or for any other consideration, or whether he works for his own account by selling products imported by him from the principal. The Commercial Agency: A contract between the principal and the agent, under which the agent undertakes to import the products of his principal, or distribute, sell or offer them for sale, or provide commercial services inside the Kingdom, or for his own account on behalf of the principal. The Commercial Mediator: The Person who assumes the work of commercial mediation between two parties, with one of them being a producer, distributor or exporter registered outside the Kingdom in return for a consideration, in order to conclude a contract or facilitate its conclusion in the commercial transactions, without being a party to such contract or affiliated to any of its two parties. The Commercial Mediation: The act of mediation by a person between two parties, for the purpose of concluding contracts or facilitating the conclusion of commercial transactions and their ramifications against a consideration, without bearing their consequences. The Registrar: The Ministry employee appointed to register the commercial agents and mediators, and the commercial agencies, in addition to performing the other functions entrusted to him, in conformity with the provisions of this Law.

Article 3:
The commercial agent or commercial mediator must be a Jordanian
national, if he is a natural person, or a Jordanian company registered in accordance with the provisions of this Law.

Article 4:
A register shall be organized at the Ministry under the supervision of the registrar for recording the names of the commercial agents in the Kingdom, and the main information relating to their agencies, in addition to another register for recording the names of the commercial mediators.

Article 5:
No person may practice the business of commercial agency or commercial mediation in the Kingdom, unless he is recorded as the case may be, in the commercial agents register or the commercial mediators register.

Article 6:
A- 1- The application for registration of the commercial agent or commercial mediator shall be submitted to the registrar, accompanied by the documents specified according to the instructions issued by the Minister.

2- The application for registration of the commercial agency shall be submitted to the registrar, accompanied by the duly attested agency contract, within sixty days from the contract date.

B- The registrar shall issue and notify its decision within a maximum period of two weeks following the completion of the documents specified according to the instructions issued by the Minister, in conformity with Paragraph (A) of this Article and he shall, in case of approval, issue a registration certificate within two weeks of the date of his decision.

C- The registrar shall charge, on registration of the commercial agent, commercial mediator, or commercial agency, the fees prescribed under the regulations issued in accordance with the provisions of this Law.

Article 7:
A- Third parties may obtain the information and data recorded in the register, concerning the name of the commercial agent, the commercial mediator or commercial agency, and the number of the agency registration or cancellation.

B- The commercial agent or commercial mediator shall record his registration number on all his correspondence (letterheads) and commercial transactions.

Article 8:
A- The commercial agent who ceases to practice his business, or whose agency contract expires, shall be committed to notify the registrar of this within a maximum period of thirty days from the date of his cessation or the expiry of the agency contract, requesting therein the cancellation of his registration or the agency registration from the register.

B- The commercial mediator who ceases to practice his business, shall be committed to notify the registrar of this within a maximum period of thirty days from the date of his cessation, requesting therein the cancellation of his registration.

Article 9:
A- If it is proved to the registrar that the registration of the commercial
agent, or commercial mediator, was made on the basis of an application which included incorrect data, he shall cancel such registration.

B- The registrar shall cancel the registration of the commercial agency in any of the following cases:
- If the commercial agent’s registration has been cancelled in conformity with Paragraph (A) of this Article.
- If it becomes evident to him that the agency registration was made on the basis of incorrect data.
- The commercial agent or commercial mediator shall be informed by registered mail of any of the registrar’s resolutions for the cancellation mentioned in Paragraph (A) and (B) of this Article, as the case maybe, within a maximum period of fifteen days from the date of issuance of the cancellation resolutions.

Article 10:
A- None of the parties to an agency not registered in accordance with the provisions of this Law, shall enjoy any benefits granted by the Law to the principal or commercial agent. However, a third party may institute a lawsuit, on the basis of not registered agency, if its actual existence is proved.
B- A lawsuit instituted by a person, who practices commercial mediation business, against any of the parties to a contract where he was a mediator for its conclusion, shall be heard only if he was registered as a commercial mediator.

Article 11:
The commercial agent shall provide adequate spare parts and maintenance centers necessary for the products, commodities or services contained in his commercial agency.

Article 12:
A- Notwithstanding the contents of the provisions of this Law, or any other legislation, Jordanians and non-Jordanians shall be prohibited from practicing the business of commercial agency or commercial mediation in the import or sale of arms (weapons), or their complementary or developing parts, or the ammunitions which are supplied to the Jordanian Armed Forces and security organs, including the maintenance of such arms and their insurance.
B- The Council of Ministers may, at the recommendation of a competent authority, ban the practicing of the business of the commercial agency, or commercial mediation, or the interference of commercial agents or mediators in any contracts concerning the import of supplies, appliances, equipment, machinery and their spare parts for the Jordanian Armed Forces, as well as the security organs. Such prohibitions, however, may include the maintenance of these materials, or their insurance, and any other services that can be provided to any of them.

Article 13:
A foreign company or establishment registered to operate in the Kingdom, may not practice in addition to its activities, the representation
of foreign companies incorporated abroad under a commercial agency. This prohibition, however, shall not include the commercial agencies which were registered in their name for this purpose prior to the effectiveness (implementation) of the provisions of this Law.

Article 14:
Where the principal cancels the agency contract prior to the expiry of its turn, without an error from the agent, or for any illegal reason, then the agent will be entitled to claim the principal to compensate him for the damages suffered by him, as well as for his loss of profit.

Article 15:
In implementation of Article (14) of this Law, the principal and the new commercial agent combined shall be committed jointly and severally to purchase the goods in stock of the previous agent, which were included in the commercial agency, at the lesser of the cost price and local market price, and shall fulfil all the liabilities arising from the agency contract, which were undertaken by the previous agent towards third parties.

Article 16:
A- The Jordanian courts shall be the competent courts to look into any dispute or conflict arising from the commercial agency contract, or from the implementation of the provisions of this Law.
B- No lawsuit concerning any dispute or conflict arising from the commercial agency contract shall be heard after the lapse of three years from the expiry of the contract or from its termination for any reason whatsoever.

Article 17:
A- Any commercial agent, commercial mediator, or commercial agency registered prior to the entry of this law into force, shall be considered as registered in accordance with its provisions, provided that the commercial agent, or commercial mediator, will supply the registrar with any information required by this law, or by the regulations and instructions issued under it.
B- The commercial agent who is committed by a commercial agency contract which was not registered prior to the entry of this Law into force, must register such agency in accordance with its provisions, within a maximum period of six months from the date of its validity.
C- The commercial agent, or commercial mediator, who defaults to register, in accordance with the provisions of Paragraph (A) of Article (6) of this Law, and Paragraph (B) of this Article, as the case maybe, shall be charged double the fees prescribed for registration, if the default period does not exceed three months, and five times the said fees if the default period exceeds this.

Article 18:
A- Without prejudice to any stricter penalty provided for in any other Law, and with due observance of the provisions of Paragraph (B) of this Article, a fine of not less than five hundred dinars and of not more than two thousand dinars shall be imposed on anyone who has:
1-Provided to the registrar, or to any official authority in bad faith (male
fide), incorrect in formation pertaining to the registration, amendment or alteration of the commercial agency.

2- Pretended in the correspondence or letterheads of his commercial business, or announced in any way whatsoever, that he was commercial agent or commercial mediator, without being registered.

3- Defaulted in registering his commercial agency, in conformity with the provisions of this Law.

4- Violated the provisions of Article (8) or Article (13) of this Law, and in case he does not eliminate the violation, the penalty will be doubled every three months, until the violator eliminates the reasons of the violation.

B- Anyone who violates the provisions of Article (12) of this Law, shall be punished by imprisonment for a period of not less than six months and not more than one year, and by a fine of not less than ten thousand dinars and not more than twenty five dinars, or by one of these two penalties, in addition to the commissions earned by him or the profits received by him, or which were bound to be paid to him, or which he was promised to obtain, if these were known, and which shall be subject to the court’s appraisal in case they were not known.

Article 19:
The Council of Ministers shall issue the necessary regulations for the implementation of the provisions of this Law, including the determination of the amount of fees which must be charged for the registration of the commercial agent, the commercial mediator and the commercial agency, and for recording any change relating to the information required in respect of any of them.

Article 20:
The fee for issuing any certificates or information extracted from the registers, and which relate to the commercial agents, commercial agencies and commercial mediators, shall be determined in accordance with instructions issued by the Minister for this purpose.

Article 21:
The Commercial Agents and Mediato
rs Law No. (44) for the year 1985, shall be cancelled.

Article 22:
The Prime Minister and Ministers are entrusted with the implementation of the provisions of this Law.

2001/6/3Faisal Bin Al-Hussein
The Prime Minister and Minister of Defense Eng. Ali Abul Ragheb. Acting Prime Minister and Minister of Interior Dr. Awadh Khleifat Acting Prime Minister and Minister of Transport Dr. Saleh Irsheidat

Acting Prime Minister and Minister of Justice Fares Al Nabulsi Acting Prime Minister and Minister of State for Economic Affairs Dr. Mohammad Al-Halaiqa Minister of Islamic Endowments, Affairs and Holy Shrines Dr. Abdul Salam Al-Abbadi

Minister of Health Dr. Tareq Suheimat Minister of State for Administration
Dr. Mohammad Thneibat, Minister of State for Development Affairs
Yousef Al-Dalabeeh, Minister of State for Parliament Affairs
Abdul Ilah Al-Khatib, Minister of Foreign Affairs
Aqel Beltaji, Minister of Tourism Antiquities
Dr. Michel Marto, Minister of Finance
Eid Al-Fayez, Minister of Labor
Hassan Abu Gheida, Minister of Public Works and Housing
Eng. Hassan Abu Gheida, Minister of Youth and Sports
Sa’id Shukom, Minister of Information
Dr. Taleb Al-Rifa’i, Minister of Education
Dr. Khaled Toukan, Minister of Municipal, Rural and Environment Affairs
Abdul Karim Al-Akkour, Minister of Culture
Zuheiir Zanouneh, Minister of Agriculture
Dr. Abdel Al-Sharida, Minister of Industry and Commerce
Wasef Azar, Minister of Planning
Jawad Hadid, Minister of Water and Irrigation
Eng. Hatem Al-Halawani, Minister of State for Legal Affairs
Dhaifullah Al-Musa’adeh, Minister of Social Development
Tamam Al-Ghoul, Minister of State for Social Development