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The Legal Framework of International Migration in Jordan
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1.1 Inventory of the Institutions operating in the field of migration in Jordan

Institutions operating in the field of migration in Jordan can be divided into two categories: national and international institutions:

**A) National Institutions:**

1. Governmental Institutions:

- The Prime Ministry with its divisions and subsidiaries and in particular The General Intelligence Department.
- Ministry of Interior ([http://www.moi.gov.jo](http://www.moi.gov.jo)) and its branches:
  - Public Security.
  - Directorate of Naturalization and Foreigners.
  - Department of Residence and Borders.
  - Civil status and Passport Department.
  - Bridges security Department.
  - The Social Security Corporation.
- The Committee of the Affairs of the Private Bureaus operating in the employment of non-Jordanian home workers.
    - Department of Palestinian Affairs (DPA).
    - Jordanian Embassies and consulates abroad.
  - Jordanian Universities.
  - Accreditation Council.
  - Jordan Investment Promotion Corporation (IPC).
  - Jordan Investment Board (JIB).
  - Department of Statistics (DoS).
- National Center for Human Rights.
2. Non-governmental organizations and agencies:

- Political Parties.
- Professional unions.
- Local NGOs operating in the field of Human Rights.
- Arab organization on Human Rights.
- Transnational NGOs.

B) International Institutions:

- International Labor Organization (ILO).
- International Organization for Migration (IOM).
- International Committee of the Red Cross (ICRC).
- United Nations High Commissioner for Refugees (UNHCR).
- United Nations Work and Relief Agency for Palestinian Refugees (UNRWA).
- United National Development Fund for Women (UNIFEM).
1.2. Inventory of the Principal laws in the Field of Migration.

This inventory consists of both national and international legal provisions.

A) National Legal Texts:

1. Laws directly linked with migration:

- Law relating to the estate of foreigners and non-Muslim no. (8) of 1941.

- The Residence and Foreigners Affairs Law no (24) for the year 1973 and the amendments there to.

- The severance of the legal and administrative ties with the West Bank (published by the Ministry of Information on 31/07/1988).

- Basic rules and mechanisms of granting citizenship through investment. Issued in accordance with the Prime Minister’s decision of 17/12/1997.

- Visas by Law no. (3) of 1997 issued in accordance with article of the Residence and Foreigners Affairs Law no (24) of 1973.

- Fees required for domestic Foreign Workers permits by law no. (36) of 1997.

- The Fixation of the location of residence by law of 1998.

- Instructions concerning temporary entry of private foreign vehicles no. (92) of 2001.

- Lease and sale of real estate to non- Jordanians and to moral persons no. (24) of 2002.

- Private Bureaus through which domestic foreign workers are hired Law no. (3) of 2003.

- Regulations concerning Private Bureaus through which domestic foreign workers are hired of 2003.

2. General principal laws dealing indirectly with Migration:

- Additional Law to the Nationality law of 1928 no. (6) of 1949.

- The Jordanian constitution of 1952.

- Law on nationality no. (6) of 1954.

- The penal code law no. (16) of 1960.

- The social security Provisional Law no. (30) of 1978.
- Labor Law no. (8) of 1996.
- The companies Law no. (22) of 1997.
- Customs Law no. (20) of 1998.
- Civil status Law no. (9) of 2001.
- Passport law no. (5) of 2003.

B) International conventions totally or partially related to rights of migrants and the status of foreigners:

Jordan adhered to numerous international conventions, few of which are related to the rights of migrant workers but the majority are concerned with human rights in general.

1. Conventions related to migrant workers adopted by the International Labor Organization:

- Constitution of the ILO and its annex Declaration concerning the purposes and objectives of ILO, 1944.

2. Conventions related to human rights in general:

Those adopted by the ILO:


**Those adopted by the UN:**


- The International Covenant of civil and political Rights (CCPR): Ratified on 23 March 1976.

- The Convention against torture and other cruel, in human or degrading treatment or punishment (CAT): Ratified on 13 December 1991.


**Those adopted by other bodies:**

- The status of international criminal court: Ratified on 16 April 2004.


**Conventions Concluded with UNHCR and with the ICRC:**


**Conventions Jordan is considering adhering to in the future:**

- The International convention on the protection of the Rights of all Migrant Workers and members of their families (MWC), 1990.

- Convention relating to the status of Refugees (1951).

- Protocol relating to the status of Refugees (1967).

1.3 General presentation of the principal laws in the field of migration:

We understand laws to consist of all the following: constitutional provisions, laws issued by the Jordanian Parliament, by-laws issued by the government, regulations and decisions issued by governmental and public bodies. These laws in the general sense are divided into two categories: laws directly relating to international migration and those indirectly relating to international migration.¹

**A) Laws relating directly to international migration:**

**1. Residence and Foreigners’ Affairs Law no. 24 of 1973**

The law repeals the foreigners’ law of 1927 as amended. According to the new law, a “Foreigner” means any person who does not possess Jordanian nationality. The law establishes the Directorate of Naturalization and Foreigner’s Affairs within the Directorate of public security at the Ministry of Interior. Other Departments and authorities, i.e. the Governor or province governor, or the district director and the Borders officials, shall participate and cooperate with the Department in applying the provisions of the law (article3).

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¹ The study will not provide a summary of the Memorandum of Understanding signed by the government of Jordan and the UNHCR on 30/7/1997. Readers may wish to refer to the unofficial translation of the Memorandum by Ali A. Zaghal and Arda Freij-Dergarabedian entitled, “Migration-Related Institutions and Policies in Jordan” which is presented to CARIM.
Entry and Exit of Foreigners:

A foreigner is permitted to enter or leave the kingdom provided either that he holds a valid passport or travel document issued by his own country which is recognized by the Jordanian Government and bearing an entrance or exit visa, or that he holds a travel document issued by the Government of the kingdom on the basis of his residence in Jordan, without having a passport or a travel document issued by a specific Government.

Travel documents shall be understood to include laissez–passes issued by the United Nations to its officials and international laissez–passes issued by States to stateless persons or refugees residing in their territories. However, the validity of the latter documents shall be recognized only if they bear a visa entitling the holder to return to the issuing country. The same applies to identity cards provided for under agreements concluded with other countries. Article 4 of the law adds that international laissez–passes shall be granted to the following categories of persons: 1) Stateless persons and persons with no established Nationality; 2) Refugees recognized as such; 3) Persons with an established nationality but who cannot obtain travel documents from their own country or their country of own residence for reasons to be appreciated by the competent Jordanian authorities; 4) Wives and minor children under 16 years of age of persons in the above categories, who do not have an established nationality.

The Minister of Interior may exempt the nationals of any foreign State from the requirement that they should obtain a visa or bear a passport upon entry to the Kingdom. A Foreigner may lawfully enter or leave the Kingdom by land, by sea or by air, provided that he does so via the Jordanian border check-points or ports or airports designated for this purpose and that a border official stamps his passport or equivalent document (article 5).

In case a Foreigner enters the Kingdom otherwise for reasons of force majeure, such as an emergency landing or entry where there is no border check-point or yet political asylum, he must report in person to the nearest branch office of the Directorate or to any competent security post within 48 hours at the most (article 6).

A Foreigner shall, before his final departure from the Kingdom, hand back to the Directorate, or to one of its branch offices, his residence permit together with any other permits granted to him. In the event of his return to the Kingdom before the expiry of his residence permit, he may recover the said permit provided that his residence abroad did not exceed six months.

Visas and Travel Documents:

The types of visas, their duration, conditions and procedures for granting them, exemption from visa requirement and visa fees and exemptions from such fees shall be specified in a by–law issued for this purpose.

The Minister shall, on a proposal by the Director, specify by decree the forms and particulars of travel documents granted to certain categories of foreigners, refugees and emigrants, and the conditions and procedures for granting them.
Registration of foreigners:

A Foreigner wishing to remain in the kingdom for a period exceeding two weeks shall report in person before the end of this period of time to the Directorate or to one of its branches or to the police station closest to his place of residence, and he has to fill the special form established for this purpose. Persons holding a transit visa, or pilgrimage visa, or a tourist visa for a specified period shall be exempt from this requirement (art.11). In the event of a change of residence, a foreigner shall give prior notice of his new address to the Directorate or one of its branch offices or to the local police station. If he moves to another part of the kingdom, he shall, within 48 hours of his arrival at his new place of residence, report in person to the branch office of the Directorate or to the police station of the town to which he had moved. The provision shall not apply to foreigners holding a transit visa or a tourist visa (article 12).

The Director or his deputy may exempt a foreigner from the reporting requirements provided for in the preceding two articles on account of special considerations or valid grounds to be appreciated by him, in which case the required statement shall be made in writing in the form prepared for this purpose and shall be delivered to the Directorate or police station within 48 hours of entry into the kingdom (article 13). The managers of hotels, guesthouses and similar establishments and any person providing or renting lodging or accommodation to foreigners shall, within 48 hours of the time of arrival or departure of a foreigner, provide the foreigner's name and address to the Directorate, or one of its branch offices, or to the police station covering the area where the Foreigner resides (article 14). A Foreigner shall, throughout his stay in the Kingdom, submit his passport or equivalent document and any other papers to the competent authorities on request and shall state any particulars he is asked to give and shall, on request, report to the Ministry or to any Department thereof within such time limits as may be prescribed. He shall, in the event of the loss of or damage to his passport or equivalent document, notify the Directorate or police station thereof within 48 hours of the said loss or damage (article 15). Furthermore, no Jordanian National or Jordanian company or body shall employ a Foreigner unless he has a permit to reside in the Kingdom. This requirement shall not apply to experts called for a practical or technical purpose, provided that their period of engagement does not exceed three months. Any person employing a foreigner shall notify the Directorate or one of its branch offices or yet the police station covering his workplace accordingly in the appropriate form, within 48 hours of the Foreigner’s effective engagement. On termination of the foreigner’s services such person shall notify the Directorate or the police station thereof, within 48 hours of the said termination (art.16).

Residence permits

Article 18 of the law provides that any foreigner staying or wishing to stay in the country must obtain a residence permit in accordance with the provisions of the law and shall leave the territory of the Kingdom on expiry of his residence permit unless it is renewed. The Minister may, after consulting the Director of public security, either grant or refuse a foreigners application for a residence permit or yet cancel a residence permit already granted to him and order him to leave the Kingdom without explanation (Art.20). The Director may authorize a foreigner to stay in the Kingdom for a period not exceeding three months and may, in consultation with the competent
departments and authorities, extent the said period for three more months against payment of a fee of one Jordanian dinar. Such authorization shall extend to his wife or wives and to all his children registered in his passport or equivalent document (article 20).

A foreigner’s application for a residence permit satisfying all the requirements prescribed in the Law shall be submitted to the Directorate or one of its branch offices or to the administrative authorities, provided that his passport or travel document is still valid. However, this requirement may be waived subject to the approval of the Minister of Interior (article 21).

A residence permit shall be valid for one year and be renewable subject to the requirements prescribed in this Law. The Minister may, on a proposal of the Director, grant a residence permit for five years to a foreign woman married to a Jordanian. He may also grant a Foreigner who has lived lawfully in the Kingdom for 10 years such a residence permit (article 22). The fee for a residence permit shall be fifteen Jordanian Dinars, and the each year fee for issuing a residence permit, in exchange for a lost one is also 15 Dinars (article 23). The Minister shall, on a proposal of the Director, determine the form of residence permits and of any particulars or other documents required for the purposes of the application of this Law (article 24). The Children of a foreigner, on reaching the age of 16 years while residing in the kingdom, be required to obtain a residence permit in accordance with the provisions of this Law (article 25).

A residence permit shall be granted to a foreigner if the competent authorities are satisfied as to the reasons justifying his residence, provided that the applicant is: (a) A person holding an employment contract with a company or registered business or with an employer established in the Kingdom, provided that his activities are not in competition with those of Jordanians and that a certificate to that effect is issued by the Ministry of Labor and Social Affairs or by another competent authority; (b) A person who, throughout his residence has a secure and lawful source of income, either domestic or from abroad, which shall be established by means of a certified official document; (c) A person who has come to the Kingdom to invest capital in commercial or industrial ventures approved by the Ministry for the National Economy; (d) A person possessing scientific or vocational skills to which there is no equivalent in the Kingdom, provided that such skills are established by means of written official certificates issued by recognized authorities, subject to the approval of the competent Jordanian authorities; (e) An official or employee of a diplomatic or consular mission in the Kingdom, subject to reciprocity; (f) A disabled person or a minor child whose only provider resides in the Kingdom; or (g) A student admitted to a Jordanian educational establishment (article 26). Furthermore and without prejudice to the provisions of the preceding Article, the Minister may require a foreigner to provide security to cover such financial obligations as he may incur and to guarantee his departure from the Kingdom on the expiry of the residence permit granted to him (article 27). The Director may renew residence permits each year in accordance with the provision of this Law.

**Exemptions:**

The provisions of the Law shall not apply to:
(a) Heads of State and members of their families;
(b) Members of the foreign diplomatic and consular corps and their families accredited to the Kingdom. Members of the foreign diplomatic and consular corps not accredited to the Kingdom shall be treated on the basis of the principle of reciprocity;
(c) The crews of vessels and aircraft entering the Kingdom with maritime or aviation documents issued by their respective competent authorities, provided that the said documents shall be stamped by the border officials on their entry into or departure from the kingdom at ports and airports. These stamps shall not entitle their holders to stay in the kingdom for longer than their vessel calls at a port or their aircraft remains at an airport;
(d) The passengers of vessels and aircraft, respectively calling or landing at ports or airports in the kingdom, who are authorized by the competent authorities to disembark or to stay temporarily while their vessel calls at a port or their aircraft remains at an airport, provided that the duration of their stay does not exceed one week. The captain of a vessel or aircraft shall, before departure, report to the border officials any passenger left behind and hand them his passport. Where the captain becomes aware of the matter only after departure he shall notify the said authorities of the missing passenger’s identity by cable and send his travel document by the quickest possible means from the first port or airport he reaches;
(e) The nationals of States bordering the territory of the kingdom, in respect of entry into areas bordering such States, provided that they obtain a special authorization, called a border-crossing authorization, in accordance with the provisions of agreements concluded for this purpose with those States;
(f) Persons exempted by virtue of international agreements to which the kingdom is a party, subject to the scope of such agreements;
(g) Persons serving in the Jordanian armed forces;
(h) Persons exempted by the Minister on account of special considerations connected with international or humanitarian courtesy or of the right to political asylum or yet in application of the principle of reciprocity (article 29).

The following shall be exempt from the payment of residence permit fees:
(a) Foreigners working as nurses in government hospitals;
(b) Students admitted to Jordanian schools, institutes and universities;
(c) Technical experts engaged by the Government;
(d) Arab nationals, on the basis of reciprocity.

Penalties and Violations:

Any person entering the kingdom in violation of Articles 4 and 5 of this Law shall be arrested without further notice and shall be brought before the administrative authority which may either order his expulsion or recommend the Minister to grant him a residence permit or yet refer him to a first instance. On conviction by the Court, he shall be liable to a term of imprisonment of between one and six months or to a fine of between 10 and 50 dinars, or to both penalties (article 31).

The competent administrative authority may, after the Court has passed judgment on a foreigner, order his expulsion from the kingdom or recommend the Minister to grant him a residence permit. (article 32). A vessel captain, an aircraft pilot, a car driver or any other carrier who disembarks persons in the territory of the kingdom at places other than designated ports, airports and border check-points, or who assists persons not holding lawful passports or documents bearing entry visas in entering the
kingdom shall be liable to imprisonment for a term of between one and six months or to a fine of not less than 10 dinars and not exceeding 50 dinars, or to both penalties. The Minister or his deputy may order a vessel captain, an aircraft pilot, a car driver or any other carrier to take back to their point of departure persons whom he unlawfully brought into the kingdom, either by the same means of transport or at their own expense (article 33).

Any foreigner who enters the kingdom lawfully but who fails to obtain a temporary residence permit or who overstays his permitted period of residence shall be liable to a fine of 45 Dinars for each month overstayed or any part thereof, i.e. one and half Jordanian Dinars for every single day in which he has exceed his legitimate stay in the kingdom. Any foreigner who fails to apply for the renewal of his residence permit within one month of its date of expiry shall be liable to a fine of 15 Dinars for each month overstayed or any part thereof. The Minister may, on the proposal of a committee of the General Secretary of the Ministry and the Director of the Directorate for Naturalization and Foreigners, exempt a foreigner from the said fines, provided that they do not exceed 250 Dinars. When the amount exceeds 250 Dinars, such exemptions shall be subject to an order of the Prime Minister based on a proposal by the Minister and a recommendation by the committee (article 34). Any company or employer employing a foreigner not holding a residence permit shall be liable to a fine of not less than 50 Dinars and not more than 75 Dinars for each illegal worker thus employed. This provision does not apply to experts engaged by companies operating in the kingdom for the purposes of technical consultancy, provided that their stay does not exceed three weeks and that they obtain prior authorization from the Directorate before their arrival (article 35).

Any violation of the provisions of this Law for which no specific penalty is prescribed shall be punished by imprisonment for a term of between one week and one month or by a fine of not less than 10 Dinars, or by both penalties (article 36).

The Minister may, on a proposal of the Director of Public security, deport a foreigner; he may also order the temporary suspension of deportation procedures in respect of a foreigner whose expulsion has been decided. A foreigner who has been deported shall be authorized to return to the territory of the kingdom only by special permission of the Minister (article 37).

The Minister may foreclose the security provided for in Article 27 in the event of a violation of its provisions (article 38).

2. Visas By-Law no.3 of 1997

According to this by-law, and taking into consideration the agreements concluded between the Hashemite Kingdom of Jordan and other States, there will be two types of visas: 1. a single or multiple entry visa; 2. a single or multiple transit visas. Entry or transits visas must be valid for a period of time that does not exceed two months and it must be issued by the Ministry of Interior. Visas issued by the Jordanian diplomatic missions abroad are valid for a period of one month from the date of their issuance (Article 3). Transit visas will be granted for a period of seventy two hours, starting on the date of entry to the Kingdom (Article 4). Reasons for granting a visa will be determined according to the reasons provided by the applicant (Article 5). Applicants
to any type of visa must meet the following conditions: 1. He must submit a visa application; 2. he must possess a passport or travel document which is valid and recognized by the Government of the Hashemite Kingdom of Jordan (Article 6). The following are exempted from the fees for obtaining visas: A. diplomats and consuls of States recognized by the Kingdom’s government and their families; B. Employees of international organizations who hold passports issued by the United Nations or any of its agencies; C. Any person whom the head of a Jordanian diplomatic mission wishes to exempt from the application fees in order to uphold international courtesies, or for humanitarian reasons, or for political asylum rights, or in order to apply the reciprocity principle, or for any reason the Minister sees fit. The Minister of Interior’s decision is considered final (Article 7). Visa application fees will be determined in accordance with the reciprocity principle and they will be collected according to the rules and stipulations issued by the Ministry of Interior (Article 8).

3. **Basis, rules, and mechanism of granting citizenship through investment.** Issued in accordance with the Prime Minister Council’s decision dated 17/12/1997.

According to these rules, an Arab investor who wishes to obtain Jordanian citizenship through investment should meet one of the following conditions:

a. To deposit in the Central Bank an amount of 500,000 USD in order to invest in production sectors, with the exception of trading in stocks, real estates, and lands. The project must insure 10 ongoing employment opportunities for Jordanians.

b. To make a fixed deposit in the Central Bank for an amount equal to 750,000 USD for five years and without interest.

c. To own one project or more in production sectors in which his total investments will not be less than 500,000 USD.

The Committee responsible for encouraging investment will recommend the granting of a temporary passport for a 3 year period to the Arab investor who fulfills one of the conditions cited above.

The wife of an investor, daughters who are single or widows, and his sons who are less than 18 years old at the time of the deposit are automatically granted temporary Jordanian passports for a period of 3 years. The right of permanent residency may be granted to the songs of the investor who is more than 18 years of age.

In 1999 the regulation was modified, raising the amount of the fixed deposit specified in condition (b) to one million. Also, the modification permitted the unmarried sons and daughters of an investor to obtain Jordanian passports, provided that they pay an additional amount of 250,000 USD for each of them. The Committee may also permit the parents of the investor, or his relative, the right of residence.

Temporary passports may also be transformed into proper Jordanian citizenship after three years from the time of the issuance of the temporary passport and upon the completion of certain conditions relating to investment.

Every foreigner who enters the Hashemite Kingdom of Jordan must obtain a certificate of entrance from border employees, according to a form approved by the Minister of Interior to this end which contains the following information: a. the full name of the visiting foreigner and his citizenship; b. the date and place of his birth; c. passport number and its date of issuance; d. the purpose of entrance to the Kingdom, the address and the duration of the visit; d. any information enlisted in the foreigner’s passport or documents.

The certificate of entrance is composed of two parts; the border officials will keep the upper part of the certificate and the second part is stapled to the entering foreigner’s passport.

Anyone who leases a real estate to a foreigner must inform the nearest security office within 48 hours from the date of rental. The lessee must fill the proper forms provided for these purposes and he should inform the security office of the foreigner’s evacuation of the real estate within seven days. This provision is applicable upon every person who leases or hires a foreigner.

Anyone who breaches the provisions of this law will be subject to punishment as specified by Residence and Foreigners Law or any other punishment sanctioned by any other law.

5. Regulation concerning temporary entry for foreign and private vehicles no. (92) of 2001. Issued according to article (139) of Custom law no. (20) of 1998

This regulation governs the entry of private vehicles belonging to Jordanians, Arabs, and foreigners who are entering the Kingdom for a temporary period of time.

Special treatment is accorded to Arab students and foreigners who are studying at Jordanian institutes and universities and those who are participating in military missions.

Entry of vehicles of regional offices is governed by other regulations issued according to article (248) of the company law no. 22 of 1997.


Foreigners are permitted to lease or purchase real estate for residential purposes upon the authorization of The Director of Land and Survey, or the Minister of Finance, or the Council of Ministers, depending on the size of the real estate. This is conditional upon the application of the reciprocity principle by their States; however, Arab nationals are exempted from the reciprocity principle condition.
Special treatment is accorded to diplomatic missions and international organizations accredited by the Kingdom.

The Council of Ministers may permit the holders of documents or temporary passports to lease or purchase real estates, upon a recommendation of the Minister of Finance and based on a recommendation from the Minister of Interior.

Arab nationals may also lease or purchase land in non-residential areas, for the purpose of investment, if they fulfill certain conditions, and if they obtain the approval of the Minister of Finance or the Council of Ministers and depending on the size of the land.

A non-Jordanian may sell his real estate to a Jordanian upon the fulfillment of certain conditions. He is not permitted to sell his residential real estate before three years from the date of his purchase and before the passing of five years if it is for other purposes. However, there are exemptions from this rule.

The law is not applicable to different situations, especially those which are deemed beneficial for Jordanian economy and in particular in the Jordan Valley, Aqaba Industrial Zone, and Petra regions.

7. Regulations concerning the authorization of private bureaus operating in the employment of migrant domestic workers issued in accordance with Article 10 of the By-Law 3 of the Organization of Private Bureaus Operating in the Employment of migrant domestic workers By-Law no. 3 of 2003

According to this regulation, only authorized private bureaus may employ non-Jordanian domestic workers. The Minister of Labor will establish a committee called “The Committee of the Affairs of the Private Bureaus,” operating in employment of non-Jordanian home workers. This Committee will receive, consider, and renew applications for authorization of private bureaus.

The authorization is conditional. The applicant must be a Jordanian individual or a Jordanian company registered according to proper procedures. The Minister issues his approval upon the recommendation of the Committee.

The regulation stipulates certain obligations and responsibilities upon the private bureaus, among them is that it is prohibited from engaging minors, who are under the age of eighteen years.

The regulation authorizes the bureau to collect fees from the employer within certain limits set by this regulation.

According to this law, a private bureau should meet the following requirements:

a. Its purpose is restricted to the position of mediator between the migrant domestic workers and those who employ them.

b. It must fulfill the obligations specified by the Ministry of Labor in a written document.

c. It must provide the Ministry of Labor with a financial guarantee of the amount of fifty thousand Jordanian Dinars.

d. It must follow any conditions set by the Minister of Labor in accordance with the regulations issued by him.

The Minister will issue the decision to authorize the bureau to operate according to the form prepared by the Ministry for this purpose. He can provisionally suspend the authorization of the bureau if it violates its obligations as specified in this by-law.


The regulation sets certain obligations upon owners of private bureaus involved in the employment of migrant domestic workers in order to issue them work permits. The employer must inform the Ministry of his decision to renew the worker’s permit a month before its expiration. The Ministry has the right to agree or not agree to the renewal. In case the work permit is not renewed, the employer must resubmit the work permit to the Directorate of Work and Employment and to inform the Ministry of the date of the departure of the worker from the Kingdom. It is the duty of the employer to inform the proper security authorities if the worker does not exit the Kingdom.

B) Laws relating indirectly to International Migration

1. Law of Nationality no.(6) of 1954:

The “Foreigner,” according to article 2 of the law, refers to any person who is not a Jordanian. Article 3 of the law specifies the categories deemed to be Jordanian nationals:

1. Any person who has acquired Jordanian nationality or a Jordanian passport under the Jordanian Nationality law of 1928;

2. Any person who, not being Jewish, possessed Palestinian Nationality before 15 May 1948 and was a regular resident in the Hashemite Kingdom of Jordan between 20 December 1949 and 16 February 1954;
3. Any person whose father holds Jordanian Nationality;

4. Any person born in the Hashemite Kingdom of Jordan of a mother holding Jordanian Nationality and of a father of an unknown or stateless father or one whose affiliation is not established.

5. Any person born in the Hashemite Kingdom of Jordan of unknown parents, as a founding in the Kingdom shall be considered born in the kingdom pending evidence to the contrary.

6. All members of the Bedouin tribes of the North mentioned in paragraph (J) of article 25 of the provisional Election Law, No. 24 of 1960, who were effectively living in the territories annexed to the Kingdom in 1930.

**Naturalization of Arabs:**

Any Arab who has resided continuously in the Hashemite Kingdom of Jordan for not less than 15 years may acquire Jordanian nationality if he renounces his nationality of origin and the law of his county permits him to do so. An oath of allegiance and loyalty to his Majesty is required before obtaining of the nationality (article 4).

**Naturalization of Arabs and non Arabs:**

According to Article 12, any person other than a Jordanian may apply to the council of Ministers to grant him a certificate of Jordanian naturalization, if he satisfies certain conditions, including regular residency in the Kingdom for a period of four years preceding the date of his application and the intention to reside in the Kingdom. Article 13 of the law adds that the council of Ministers may grant or reject an application for naturalization under article 12 of their law. The council may also, but subject to the approval of his Majesty the King, waive the requirement of four years of previous residence if the applicant is an Arab or if, for some special reason, his naturalization in the public interest.

A person who acquires Jordanian nationality shall be deemed to be a Jordanian in every respect, but he may not hold any political or diplomatic position or any public office prescribed by the council of ministers and may not become a member of the parliament for at least 10 years after acquiring Jordanian Nationality. He shall be eligible for nomination to a municipal or village council or to a trade union office only after a period of at least five years has lapsed since his acquisition of Jordanian nationality (article 14).

**Marriage:**

Furthermore, a foreign Women who marries a Jordanian national may acquire Jordanian nationality if she so wished by preparing a written statement to that effect. The Law distinguishes between an Arab women and a non-Arab Woman. The Arab woman can obtain Jordanian nationality after three years of her marriage. The Non-Arab woman needs five years after her marriage to acquire Jordanian nationality (article 8). The children of a Jordanian man shall be Jordanian wherever they are born.
(article 9). This means that the children of a Jordanian woman shall not be considered Jordanian citizens.

2. **Social Security Law no. (30) of 1978**

The provisions of this law are applicable to all laborers without any discrimination as to nationality and whether the work is to be performed mainly within or outside the Kingdom. Nevertheless, the law is not applicable to foreign employees serving in international organizations or foreign political or military missions.

In addition, the insurances for certain categories of workers shall remain suspended until the council of Ministers, upon the recommendation of the Board, shall decide their application. These categories include domestic servants and the like (article 4).

3. **Income Tax Law no. (57) of 1985**

According to this law income tax is applied to any income procured within the Kingdom by any person (article 3). Furthermore, article 7 exempts the salaries paid to non-Jordanians working on a diplomatic mission. This exemption is conditional upon the reciprocity principle. Salaries paid to non-Jordanians working for an official Jordanian missions located outside of the Kingdom are also exempted from income tax, provided that the principle of reciprocity is applied.


According to this law any project falling with the following sectors or sub-sectors shall enjoy the exemptions and facilities provided by the law: 1. industry; 2. the agriculture sector; 3. hotels; 4. hospitals; 5. maritime transport and railways. The council of Minister may, upon the recommendation of both the Minister of Industry and Trade and the Investment promotion committee, offer any project established within these sectors incentives or guarantees or other privileges for the number of years the Council of Ministers sees fit. The “invested foreign capital,” for example, money invested in the Kingdom by a non-Jordanian is beneficiary of a detailed preferential regime the proper place of its development is not this study.

5. **Labor Law no. 8 of 1996**

According to article 12 of this law, it is not permissible to engage any non-Jordanian employee except with the approval of the Minister of Labor or whoever is delegated by him, provided that the work requires experience and capability which are not available with Jordanian employees or if the available number therefore does not meet the need. Priority shall be given to Arab experts, technicians, and workers.

The non-Jordanian employee must obtain a work permit from the Minister of Labor or from whomever he delegates, prior to his recruitment or engagement. The period of permit may not exceed one year and is renewable.
The Ministry of labor shall charge the Employer a fee, details of which are found in the law.

The Minister shall issue a decision for deporting the Employee who violates the provisions of the law. The non-Jordanian employee who is deported from the Kingdom is not permitted to return back to the Kingdom unless three years have passed from the date of the date of deportation.

Article 108 adds that the founders of worker and employer unions must be a Jordanian citizen.

6. Companies law no. (22) of 1997 and its amendments

In accordance with article 4 of the law, every company formed and registered under this law shall be considered a Jordanian corporate entity, with its headquarters situated in the Kingdom. Article 240 of the law adds that no foreign company or entity may exercise any commercial business in the Kingdom unless it is registered in accordance with the provisions of this law after obtaining a permit to operate pursuant to the applicable laws and regulations. This provision is applicable to an operating foreign company which is a company or an entity registered outside the Kingdom, whose headquarters is in another country and whose nationality is considered non-Jordanian. These kinds of companies are divided into two types: companies operating for limited periods and companies operating permanently in the Kingdom (article 240).

Regarding non-operating foreign companies in the Kingdom, it is a company or an entity which has its regional or representative office in the Kingdom for operations that it conducts outside the Kingdom for the purpose of using such a regional or representative office for managing its operations and coordinating them with its headquarters. A non-operating foreign company is prohibited from carrying out any business or commercial agents and middlemen. The registration of a non-operating foreign company in the Kingdom may be made in accordance with the provisions of this law for the purpose of establishing regional or representative offices, providing services, or technical or scientific offices. A non-operating foreign company enjoys different exemptions. Instead it has a duty to engage a number of Jordanian employees in the Kingdom whose total numbers should not be less than half of the overall number of the company employees.

7. Custom Law no. (20) of 1998

The following are exempted from customs duties and other fees and taxes, provided that the reciprocity principle is applied, and within such limits: a. the personal effects of the heads and members of diplomatic and consular missions, citizens of non-Jordanian nationalities, working in the Kingdom from among the non-honorary personnel, whose names are mentioned in the lists issued by the Ministry of Foreign Affairs. The exemption includes the effects of their spouses and underage children residing with them; b. The articles imported by the embassies, legations, and non-honorary consulates for official use, with the exception of food stuff, spirits, and tobacco. The imported articles which enjoy exemption under the provisions of this
article and paragraph A should be compatible with the real needs and be within reasonable limits; c. Articles imported for personal use are subject to inspection procedure, such as personal effects, furniture and household implements, belonging to the administrative members of the Diplomatic and consular missions who carry the citizenship of such missions and do not benefit from the custom exemption, provided that the importation occurs within six months from arrival of the beneficiaries. This delay period may be extended to another six months upon the approval of the Ministry of Foreign Affairs. People under this category shall be given temporary entries for their cars for a period which in principle does not exceed three years subject to extension with the approval of the Ministry of Foreign Affairs. Drivers and servants shall not be considered as administrative staff for the purpose of applying the provisions of this article (article 150 of the law).

Furthermore, according to this law, no person may practice the job of customs clearance agent if he is not a Jordanian national (article 166 of the law).

8. Civil Status Law no. (9) of 2001

The law provides that foreigners’ births, deaths, marriages, and divorces must be registered at Civil Status office if these events occurred in the Kingdom. The office issues certificates for these occurrences.

9. Passport Law no. (5) of 2003

According to this law Jordanian passports are given to Jordanian citizens who are not permitted to enter or exit the Kingdom without it.

Jordanian passports consist of two types: diplomatic, and ordinary. Diplomatic passports are issued by the Ministry of Foreign Affairs, while the ordinary ones are issued by the Director of the Civil Status and Passports Department if the applicant is in the Kingdom or the Jordanian Consul if the applicant is outside the Kingdom.

Ordinary passports are valid for five years from the date of their issuance.

The Minister of Interior, in special or humanitarian cases, and with the approval of the Prime Minister, may issue an ordinary passport for a period not exceeding five years; this passport is renewable. However, this passport does not grant its holder the Jordanian citizenship status and the Minister may annul it at any time.