

THE CONSTITUTION OF JORDAN

CHAPTER FIVE

The Legislative Power

The National Assembly

Article 62

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

Part I

The Senate

Article 63

The Senate, including the Speaker, shall consist of not more than one- half of the number of the members of the Chamber of Deputies.

Article 64

In addition to the requirements prescribed in Article 75 of the present Constitution, a Senator must have completed forty calendar years of age and must belong to one of the following classes: Present and former Prime Ministers and Ministers, persons who had previously held the office of Ambassador, Minister Plenipotentiary, Speaker of the Chamber of Deputies, President and judges of the Court of Cassation and of the Civil and Sharia 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 of the people in view of the services rendered by them to the Nation and the Country.

Article 65

* The term of office of Senators shall be four years. The appointment of members shall be renewed every four years. Senators whose term of office had expired may be reappointed for a further term.

The term of office of the Speaker of the Senate shall be two years but he may be reappointed.

* As amended in the Official Gazette No. 1243 of 16/10/1955.

Article 66

The Senate shall meet simultaneously with the Chamber of Deputies and the sessions shall be the same for both Houses.

If the Chamber of Deputies is dissolved, the sessions of the Senate shall be suspended.

Part II

The Chamber of Deputies

Article 67

The Chamber 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:

The integrity of the election.

The right of candidates to supervise the process of election.

The punishment of any person who may adversely influence the will of voters.

Article 68

* The term of office of the Chamber of Deputies shall be 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 Chamber for a period of not less than one year and not more than two years.

A general election shall take place during the four months preceding the end of the term of the Chamber. If the election has not taken place by the end of the term of the Chamber or if such election is delayed for any reason, the Chamber shall remain in office until the election of a new Chamber.

* As amended in the Official Gazette No. 1476 of 16/2/1960.

Article 69

The Chamber of Deputies shall elect its Speaker at the beginning of each ordinary session for a period of one calendar year, but he may be re-elected.

If the Chamber of Deputies meets in an extraordinary session and has no Speaker, the Chamber shall elect a Speaker for a term of office which shall terminate at the beginning of the ordinary session.

Article 70

In addition to the requirements prescribed in Article 75 of the present Constitution, a deputy must have completed thirty calendar years of his age.

Article 71

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

Article 72

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

Article 73

If the Chamber of Deputies is dissolved, a general election shall be held, and the new Chamber shall convene in an extraordinary session not later than four months from the date of dissolution. Such session shall be deemed to be an ordinary session in accordance with the provisions of Article 78 of the present Constitution and shall be subject to the conditions prescribed therein in respect of prolongation or adjournment.

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

* Such extraordinary session shall not in any event continue after the 30th day of September and shall be prorogued on that date so that the Chamber may be able to hold its first ordinary session

on the first day of October. If such extraordinary session happens to be held during October and November, it shall be considered as the first ordinary session of the Chamber of Deputies.

* Notwithstanding the provisions of paragraphs (1) and (2) of this Article, the King may postpone the holding of the general elections if a force majeure has occurred which the Council of Ministers considers as rendering the holding of elections impossible.

*** Should the force majeure provided for in paragraph (4) hereof persist, the King may, upon a decision taken by the Council of Ministers, reinstate and convene the dissolved Chamber. Such Chamber shall be deemed as having been in existence in all respects from the date of the issue of the Royal Decree effecting its reinstatement. It shall exercise its full constitutional powers and be subject to the provisions of this Constitution, including those pertaining to the term of the Chamber and its dissolution. The session which it holds in such case shall be deemed to be its first ordinary session regardless of the date when it takes place.

**** 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 a 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.

* As amended in the Official Gazette No. 1243 of 16/10/1955.

** As amended in the Official Gazette No. 2523 of 10/11/1974 and re- amended in the Official Gazette No. 2605 of 7/2/1976.

*** As amended in the Official Gazette No. 2605 of 7/2/1976.

**** This was added as per amendment in the Official Gazette No. 3201 of 9/1/1984.

Article 74

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

* As amended in the Official Gazette No. 1179 of 17/4/1954 and No.1380 of 4/5/1958.

Part III

Provisions Governing Both Houses

Article 75

No person shall become a Senator or Deputy:

Who is not a Jordanian.

Who claims foreign nationality or protection.

Who was adjudged bankrupt and has not been legally discharged.

Who was interdicted and the interdiction has not been removed.

Who was sentenced to a term of imprisonment exceeding one year for a non-political offence and has not been pardoned.

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.

Who is insane or an imbecile.

Who is related to the King within a degree of consanguinity to be prescribed by special law.

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 provided for in the preceding paragraph, his membership shall, by a resolution of two-thirds of the members of the House to which he belongs, be considered nonexistent and vacant, provided that such a resolution, if passed by the Senate, is submitted to the King for ratification.

Article 76

Subject to the provisions of Article (52) of the present Constitution, no person shall be allowed to be a member of either the Chamber 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; it includes municipal offices. Similarly, no person shall be allowed to be a member of both the Chamber of Deputies and the Senate.

Article 77

Subject to the provisions of the present Constitution relating to the dissolution of the Chamber of Deputies, the National Assembly shall hold one ordinary session during each year of its term.

Article 78

* 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 meeting of the Assembly to a date to be fixed by the Royal Decree.

If the National Assembly is not summoned in accordance with the preceding paragraph, it shall meet of its own motion as if it was so summoned.

** 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 Chamber 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.

* As amended in the Official Gazette No.1179 of 17/4/1954.

** As amended in the Official Gazette No. 1243 of 16/10/1955.

Article 79

The King shall inaugurate the ordinary session of the National Assembly by a Speech from the Throne addressed to a joint meeting of the Senate and the Chamber of Deputies. He may deputise the Prime Minister or any of the Ministers to perform the inauguration ceremony and deliver the Speech from the Throne. Each of the two Houses shall 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 in the following terms:

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

Article 81

The King may by Royal Decree adjourn the session of the National Assembly for not more than three times, or two times only if He had postponed the meeting of the National Assembly under paragraph (1) 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.

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

Article 82

The King may whenever necessary summon 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 are issued. An extraordinary session shall be prorogued by a Royal Decree.

The King may summon 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.

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 Chamber of Deputies shall each make its Internal Regulations for the control and organisation of its own proceedings and shall submit such Orders to the King for ratification.

Article 84

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

Resolutions by each of the two Houses shall be taken by a majority of votes of the members present, excluding the Speaker, who shall not vote except where it is otherwise provided in the present Constitution. In the case of equality of votes the Speaker shall have a casting vote. If the voting is related to the Constitution or to a motion of no confidence in the Council of Ministers or in a particular Minister, the votes shall be taken by calling the names of members in a loud voice.

* As amended in the Official Gazette No. 1179 of 17/4/1954.

Article 85

The meetings of both the Senate and the Chamber of Deputies shall be public. Secret meetings 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 Chamber of Deputies shall decide whether it should be accepted or rejected.

Article 86

No Senator or Deputy may be detained or tried during the currency of the sessions of the National Assembly unless the House to which he belongs decides by an absolute majority that there is sufficient reason for his detention or trial or unless he was arrested *flagrant delicto*. In the event of his arrest in this manner, the House to which he belongs, shall be notified immediately. If a member is detained for any reason while the National Assembly is not sitting, the Prime Minister shall notify the Senate or the Chamber 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 Chamber of Deputies, as the case may be, and shall not be answerable in respect of any vote which he had cast 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 Chamber 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 Chamber of Deputies 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 Chamber 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 Chamber deems appropriate.

* As amended in the Official Gazette No. 2414 dated 8/4/1973.

Article 89

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

When the Senate and the Chamber of Deputies hold a joint meeting, the meeting shall be presided over by the Speaker of the Senate.

A joint meeting of the Senate and the Chamber of Deputies shall not be considered properly constituted unless an absolute majority of the 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 may be removed from his office except by a resolution of the House to which he belongs, provided that, other than 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 resolution must be submitted to the King for ratification.

Article 91

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

Article 92

Should either House twice reject any draft law and the other accept it, whether or not amended, both the Senate and the Chamber shall hold a joint meeting under the chairmanship of the Speaker of the Senate to discuss the matters in dispute. Acceptance of the draft law shall be conditional upon the passing of a resolution by a two-thirds majority of the members of both Houses 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

Every draft law passed by the Senate and the Chamber of Deputies shall be submitted to the King for ratification.

A law shall come into force after its promulgation by the King and the lapse of 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 date.

If the King does not see fit to ratify a law, He may, within six months from the date on which the law was submitted to him, refer it back to the House coupled with a statement showing the reasons for withholding his ratification.

If any draft law (other than the Constitution) is referred back 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 Chamber of Deputies, it shall be promulgated. If the law is not returned with the Royal ratification within the period prescribed in paragraph (3) 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 reconsidered during the same session, provided that the National Assembly may reconsider the draft during its next ordinary session.

Article 94

* In cases where the National Assembly is not sitting or is dissolved, the Council of Ministers has, with the approval 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 shall not be contrary to 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 approval of the King, immediately declare their nullity, and from the date of such declaration these provisional laws shall cease to have force provided that such nullity shall not affect any contracts or acquired rights.

Provisional laws shall have the same force and effect as laws enacted in accordance with paragraph (2) of Article (93) of this Constitution.

* As amended in the Official Gazette No. 1380 of 4/5/1958

Article 95

* 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 views. 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 to submit it to the House either during the same session or at the following session.

Any law proposed by Senators or Deputies in accordance with the preceding paragraph and rejected by either House shall not be presented for a second time during the same session.

* As amended in the Official Gazette No. 1380 of 4/5/1958.

Article 96

Any Senator or Deputy may address questions or interpellations to the Ministers concerning any public matters, in accordance with the provisions of 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.