

**Review Jordan Tourism Laws  
Based on  
International Best Practices**

Final Report  
-----

Contract No.:	278-C-00-02-00210-00
Contractor Name:	Chemonics International, Inc.
USAID Cognizant Technical Office:	Office of Economic Opportunities USAID/Jordan
Date of Report:	August 6, 2004
Document Title:	Institutional and Regulatory Framework for Jordan's Tourism Sector Final Report
Author's Name:	John Downes
Activity Title and Number:	Achievement of Market-Friendly Initiatives and Results Program (AMIR2.0 Program) F/Filing Preparation, ECI Component Work Plan No. 7262.5

Funded by U.S. Agency for International Development

*This report was prepared by John J Downes, in collaboration with Chemonics International Inc., prime contractor to the U.S. Agency for International Development for the AMIR Program in Jordan.*

## **Acknowledgements**

The Consultant would like to thank Her Excellency, Dr. Alia Bouran, Minister of Tourism and Antiquities for giving of her valuable time to discuss the Consultant's recommendations. Thanks also to Stephen Wade, Program Director of AMIR for the support and encouragement that he and his colleagues provided; to Jamal Al-Jabiri, Cognizant Technical Officer at USAID for taking time out of his busy schedule to discuss the issues raised; Ibrahim Osta and Lina Omar for the warmth of their welcome, detailed insight and for providing excellent direction for this work; to the many representatives of the public and private sectors for answering my interminable questions; and not least to Evon Warwar for her unstinting practical support and great good humour.

## **Key Words:**

By-Law  
Classification  
Enforcement  
Inspection  
Institutional Framework  
Law  
Legislation  
Licensing  
Monitoring  
Obligations  
Regulation  
Regulatory Framework  
Rights  
Self-regulation  
Tourism

## **Abstract**

The document, 'Jordan Vision 2020: Towards Economic Prosperity' sets out a planning initiative to achieve a unified private sector strategy to "...guide Jordan's economic growth into the 21st century". Key priorities are: "streamlining of government regulation"; "improving the business climate"; "creating a healthy investment atmosphere". In recent weeks, His Majesty has re-emphasised these priorities and urged immediate action on them.

The National Tourism Strategy is based on four pillars, one of which is institutional and regulatory reform. This Report addresses the current regulatory framework for tourism in the Hashemite Kingdom of Jordan. It puts forward Recommendations based upon the stated policies of the Jordanian Government; the National Tourism Strategy; the needs of the private sector; and the need for a harmonious relationship between the public and private sector.

The Report addresses the central role of law in tourism development and the importance of learning the lessons from the post-Washington Consensus i.e. that policies of economic development, without a supporting institutional and regulatory framework can lead to disaster (e.g. the collapse of the SE Asian economic miracle in the 1990s and the problems besetting the economies of Russia and other parts of Eastern Europe). The success of Costa Rica, Tunisia and Singapore in addressing these matters is discussed.

The World Tourism Organisation's Report on the Role of National Tourism Administrations and National Tourism Organisations also informs the Recommendations. That Report surveyed 97 countries and made comparisons with its previous survey in 1993 to show the trends worldwide in respect of the changing roles of tourism ministries and tourist boards.

The Report addresses international harmonisation of Travel and Tourism Law and the implications of World Trade Organisation rules and the General Agreement on Trade in Services (GATS) for the tourism sector in Jordan.

A comparison has been made with the Tourism Laws of Oman, Kuwait, Saudi Arabia, Bahrain and Ireland. Whilst taking into account best practice established elsewhere, the recommended legislation, tested by the methods set out in the Workplan (in Section E 7) in this Report will help Jordan to **establish** best practice in the region.

## Table of Contents

<b>A.</b>	<b>Executive Summary.</b>	<b>6</b>
<b>B.</b>	<b>Objectives and Activities</b>	<b>9</b>
1.	Background	9
2.	Terms of Reference	11
3.	Activities	13
<b>C.</b>	<b>International Harmonization and Best Practice</b>	<b>13</b>
1.	Introduction: The National Context	13
2.	The Development of International Travel and Tourism Law	13
3.	“Travel” or “Tourism” Law	14
4.	International Harmonization of Travel and Tourism Law	15
5.	Tourism Law in the Middle East Region and Comparison with Ireland	16
6.	The World Tourism Organisation’s Report on the Role of National Tourism Authorities and National Tourism Organisations	23
7.	Best Practice:	33
	1. The Role of Law in Tourism Development	
	2. The Need for a Coherent Institutional and Regulatory Framework	
	3. The Need for Institutional Capacity Building	
	4. Standardization of Definitions of Tourism Entities and Activities	
	5. Summary	
<b>D.</b>	<b>Analysis of Tourism Law in Jordan</b>	<b>37</b>
1.	Tourism Law 1988, as Amended (Law No. 20 for 1988)	37
2.	Tourism Activation Board Regulations 1997 (Regulation No. 62 for 1997)	42
3.	Regulations Amendment to the Tourism Activation Board Regulations 1998 (Regulation No. 64 for 1998)	47
4.	Tourism and Travel Companies Code 1996 (Code No. 14 of 1996)	48
5.	Tourist Restaurants and Resthouses Code 1997 (Code No.6 of 1997)	51
6.	Hotels and Tourist Facilities Code 1997 (Code No. 7 of 1997)	52
7.	Tourist Guides” Code 1998 (Code No. 34 of 1998)	53
<b>E.</b>	<b>Recommendations</b>	<b>54</b>
1.	Need for New Laws	54
2.	Objectives of the New Laws	54
3.	Best Practice	55
4.	Replacement of the Tourism Law 1988	57

5.	Tourism Development Corporation Law	67
6.	Tourism Enterprises Licensing Law	70
7.	Workplan	71
<b>F.</b>	<b>Private Sector Management and Operation of Publicly-Owned Tourist Sites and Facilities</b>	<b>77</b>
<b>G</b>	<b>Appendices</b>	<b>79</b>
1.	Tourism Law 1988	79
2.	Tourism Activation Board Regulations 1997	84
3.	Regulations Amendment to the Tourism Activation Board Regulations 1998	93
4.	Tourism and Travel Offices and Companies Code 1997	94
5.	Tourist Restaurants and Resthouses Code 1997	100
6.	Hotels and Tourist Facilities Code 1997	103
7.	Tourist Guides Code 1998	108
8.	List of Persons Interviewed	112

## A. Executive Summary

- The National Tourism Strategy (NTS) sets out the Mission to develop a sustainable tourism economy in partnership of government, the Jordan Tourism Board, the private sector and civil society to create expansion of employment, entrepreneurial opportunity, social benefits, industry profits and State revenue.
- The Law should be a facilitator for tourism development and not an impediment.
- The NTS emphasises the need for public-private sector partnerships in developing and managing tourism resources and the idea of a partnership between the Government and the private sector is emphasised throughout.
- The current legal framework is out of date, incomplete and does not facilitate tourism development nor promote partnership.
- The principles of sustainable tourism development are not clearly set out in the Law.
- The roles of MoTA and the JTB do not reflect current trends as set out in the World Tourism Organisation's Report on the role of National Tourism Administrations (NTA) and National Tourism Organisations (NTO).
- The current system of compulsory membership of professional tourism associations needs to be reviewed in light of Jordan's international trade commitments (WTO-OMC, GATS, FTA, EU etc.)
- The Law should provide for appropriate fiscal incentives for the sector in recognition of tourism as an export.
- The experience of Tunisia, Costa Rica and Singapore shows that a modern, liberalised legal framework, which nevertheless promotes professionalism and quality assurance, fosters economic growth.
- There is a need for a set of legal models for the public-private sector partnerships.
- The principles behind the laws of travel and tourism are ancient in origin.
- They are based on anthropological, religious and socio-economic factors.

- The recommendations for regulatory reform in the tourism sector must have respect for the traditions and customs and be consistent with the Constitution of the Hashemite Kingdom of Jordan.
- It would be disadvantageous to the competitiveness of the Jordanian tourism sector to have a regulatory framework solely based on national legal norms.
- Recommendations should take into account emerging international and regional legal norms.
- Nonetheless, Jordan cannot and should not adopt wholesale a model that does not respect the distinctive characteristics of its society and its political, social and economic trajectory.
- There is an opportunity here for Jordan to establish best practice in the region in the sphere of the institutional and regulatory framework for tourism.
- In the past the role of Law in economic development has been underestimated.
- This has contributed to financial collapse in South East Asia in the 1990s and the problems in building a market economy in Eastern Europe in recent years.
- The Government of Jordan has recognised that economic and fiscal success can only be built on a sound institutional framework.
- In many countries there is unsatisfactory diffusion of organisational and operational responsibility for tourism development.
- This also needs to be addressed in Jordan.
- In the future, the JTB should be converted into a fully-fledged national tourism organisation and should then be considerably strengthened.
- In the interim, there needs to be an assessment of staffing capacity and development needs of MoTA and the JTB in order that they can more effectively take on the roles of NTA and NTO commensurate with the latest developments indicated in the WTO Report.
- It is essential for the purposes of professionalisation of the tourism sector and ensuring that fiscal incentives are properly targeted that there are clear definitions of tourism entities and these should be based on international norms.
- The Law should provide for the regulation of tourism service providers and tourism transactions.

- The Law should be consistent with the Government's aim of encouraging the private sector.
- The role of MoTA should be that of strategist and facilitator.
- In making legal recommendations the following approach is adopted:
  - Is it necessary?
  - If so, can it be simplified?
  - Is there a role for Government to be involved?
  - Does it promote a competitive environment?
  - Does it promote economic efficiency?
  - Are the rules unambiguous?
  - Does it set performance standards?
  - Does it enforce public accountability?
- Recommendations:
  - A new and more comprehensive Tourism Law with enabling provisions that will allow for short, medium and long term developments. This would also consolidate existing provisions governing tourism enterprises and thus facilitate long-term planning.
  - A new Tourism Development Corporation Law to facilitate cooperation between the public and private sectors.
  - A new Tourism Enterprises Licensing Law to create greater transparency and objectivity and to make use of e-government mechanisms.
  - A Workplan for a thorough review of the regulatory framework for tourism development; a study of the implications at local level and on site; a consultation process with stakeholders; and preparation of a comprehensive legal framework for the sector reflecting/establishing best practice and consistent with the use of e-government mechanisms is set out in Part E 7 of this Report.

## **B. Objectives and Activities**

### **1. Background**

In the Introduction to the document, ‘Jordan National Tourism Strategy 2004-2010: Sustaining Momentum...Leveraging Assets’, May 12, 2004, His Majesty King Abdullah II stated:

*“I do not set the strategies. In Jordan the economy is private sector led so we challenge the private sector to propose the strategy for their sector and we respond to and facilitate their requirements.”*

The Mission laid down in the Strategy Document is:

- The development of a sustainable tourism economy.
- A partnership of government, the Jordan Tourism Board, the private sector and civil society.
- Expansion of employment, entrepreneurial opportunity, social benefits, industry profits and State revenue.

The Goal is to double Jordan’s tourism economy by 2010.

The Law is a vital tool in the facilitation of economic activity. It can create an enabling regulatory framework or it can act as an impediment to the development of a modern, adaptable and efficient economic sector.

The Report emphasises the need for public-private sector partnerships. The role of the Jordan Tourism Board (JTB) is to “support the private sector”.

Amongst the Strategic Principles set out in the document are the following:

- Tourism Development and Marketing shall be a partnership between the government, the public sector, the private sector, carriers and NGOs guided by policies and structures that facilitate collaboration, cooperation and investor confidence.
- Government and the private sector will invest in tourism.
- Sustainable tourism development.
- The National Tourism Strategy shall be based on four pillars: Product Enhancement, Effective Marketing, Human Resource Development, and Institutional/Regulatory Reform.

It is the latter that is the focus of this Report; but the report is also informed by the Mission, Goal and other Strategic Principles set out in the National Tourism Strategy. It also takes into account the need for promotion of social

equity, the value chain approach and the need to remove barriers to investment.

The role of the Ministry of Tourism and Antiquities (MoTA) in the current institutional and regulatory framework is to provide leadership, policy development and political mediation. It focuses on strategic and policy issues and is responsible for the regulatory framework. The JTB is solely involved in marketing and promotion. The question arises from the outset as to whether the latter should also be involved in product development.

A very important, and relatively unusual, factor is the fact that Jordan has compulsory membership of professional tourism associations. Although the leadership of these associations is elected, this does not automatically entitle them to membership of the National Tourism Council. The private sector members are chosen by the Minister.

The document, 'Jordan Vision 2020: Towards Economic Prosperity' sets out a planning initiative to achieve a unified private sector strategy to "...guide Jordan's economic growth into the 21<sup>st</sup> century". Key priorities are: "streamlining of government regulation"; "improving the business climate"; "creating a healthy investment atmosphere". In recent weeks, His Majesty has re-emphasised these priorities and urged immediate action on them.

Studies were made of other countries that were successful in engendering rapid economic growth and prosperity. Central to the success of Tunisia was:

- A national policy of incentives for foreign investment and exports.
- Merger into the global economy through trade agreements and, in particular through the World Trade Organization (WTO-OMC).
- Streamlined administrative procedures.
- Facilitation of private sector-led change in partnership with Government.

This was also true of Costa Rica and Singapore, which also liberalized their trade and investment laws to attract foreign direct investment (FDI).

The Initiative emphasizes the importance of creating a regulatory environment that "...encourages the formation of clustered industries".

Jordan joined the World Trade Organization on 11 April 2004 and has a Foreign Trade Agreement (FTA) with the USA and with the European Union (EU), but the implications of these and of the General Agreement on Trade in Services (GATS) for the tourism sector have not yet been fully explored.

The consultant's preliminary observations are that, in Jordan:

- Tourism is not fully recognized as an export for fiscal incentives and investment facilitation purposes.
- The Law on Investment has been radically changed; the new law has been promulgated but has not been given practical effect.
- The regulatory framework for tourism is out of date and does not match international best practice nor does it facilitate the development of an efficient and dynamic tourism sector.
- The administrative structures in the tourism sector need modernizing and streamlined.
- The current system of compulsory professional tourism association membership and the relatively low rate of attendance and participation in meetings needs to be reviewed.
- Although the Government says that it is committed to private sector-led change in partnership with government, the current system of appointment to the National Tourism Council brings this into question.
- There is a need for a set of legal models for the private operational management of publicly owned tourism resources.

## **2. Terms of Reference**

### **“Objective**

To support development of a legal and regulatory reform strategy in cooperation with IBLA through reviewing and commenting on Tourism Law No. 20 for the year 1988 and the following amendments and regulations issued in accordance with this law, based on international best practices.

### **Specific Tasks of the Consultant**

Under this Scope of Work, the Consultant(s) shall perform, but not be limited to, the tasks specified under the following categories:

#### **A. Background Reading Related to Understanding the Work**

The Consultant shall read, but is not limited to, the following materials related to fully understanding the work specified under this consultancy:

- Tourism Law No. 20 for the year 1988 and its amendments
- JTB Regulation and its amendments
- Tour Operators and Travel Agents Regulation

- Hotels and other Tourist Accommodation Regulation
- Tourist Transport Regulation
- Tourist Rest houses and Restaurants Regulation
- Tour Guides Regulation

**B. Background Interviews Related to Understanding the Work and Its Objectives.**

The Consultant(s) shall interview, but is/are not limited to, the following individuals or groups of individuals in order to fully understand the work specified under this consultancy:

- Steve Wade – Program Director/ AMIR Program.
- Ibrahim Osta - BMI Component Leader / AMIR Program.
- Lina Omar - BMI Specialist - AMIR Program
- H.E. Dr. Alia Bouran – Minister of Tourism and Antiquities
- Marwan Khoury – JTB Managing Director
- Michel Nazzal – Chairman / Jordan Hotel Association
- Mr. Bishara Sawalha - Chairman/ Jordan Society for Tour and Travel Agents
- Mr. Munir Nassar – Chairman/ Jordan Inbound Tour Operators Association
- Mr. Mustafa Kiwan – Executive Director/ Jordan Tour Guides Association
- Mr. Alaa' Bataineh – Secretary General / Ministry of Transport
- Mr. Samer Majali – CEO/ Royal Jordanian Airlines
- - Mr. Usama Mufti – Chairman/ Jordan Tourist Busses Company (a monopoly of 3 merged companies)
- Matt McNulty – AMIR tourism consultant
- Nisreen Haram and Raghida Helou – International Business Legal Associates (IBLA)
- Other tourism stakeholders as might be requested by AMIR

**C. Tasks Related to Achieving the Consultancy's Objectives.**

The Consultant(s) shall use his/her education, considerable experience, and additional understanding gleaned from the tasks specified in A. and B. above to:

- Review the above mentioned Tourism related regulations from a legal, technical and policy point of view;
- Discuss with IBLA possible changes and their legal implications;
- Prepare a report to include findings, recommendations and suggested changes to the legal framework in accordance with best practices.

- Once report finalized, develop a Power Point Presentation with main findings and recommendations;
- Present findings to Minister of Tourism and other stakeholders.”

### **3. Activities**

The Consultant arrived in Amman for the first stage of this contract on 5 June 2004. During the period 5-17 June, the Consultant had an intensive set of meetings with AMIR colleagues, and those from the BMI section in particular, representatives of MoTA, the JTB, Amman World Trade Centre and the private sector. The Consultant gathered documents and other materials to assist in his work. An Interim report was prepared 21-25 June and this was forwarded to the AMIR offices as a discussion document.

The Consultant returned to Amman for the period 16-23 July. This provided an opportunity to see the outcome of the RDW Report on Private Sector Management and Operation of Publicly Owned Tourism Sites and Facilities. Further meetings were held with BMI Section colleagues, AMIR Consultants and with Her Excellency, Dr. Alia Bouran – Minister of Tourism and Antiquities.

## **C. International Harmonization and Best Practice**

### **1. Introduction: The National Context**

Although Jordan has a Tourism Law and a number of sets of Regulations for different sectors of the tourism industry, it is generally agreed that much of it is out of date and needs replacing with a more comprehensive law. The Government wants to place greater emphasis on the role of the private sector in investment, direct production and employment creation. Jordan has an opportunity to produce a modern institutional and regulatory framework in which the private tourism sector can thrive by ensuring high professional standards and developing quality tourism products. In doing so, Jordan can draw best practice from relevant experience elsewhere and, given its commitment to the World Trade Organisation and, in preparation for the implementation of the General Agreement on Trade in Services (GATS), reflect the international harmonisation of Travel and Tourism Law. Thus, it is important from the outset to set out the role of Law in tourism and the international harmonisation that is taking place.

### **2. The Development of International Travel and Tourism Law**

The Laws and customs governing travel and hospitality in the Jewish, Christian and Islamic worlds have their roots in the story of Sodom and Gomorrah. This is recounted in the Qur'an at *Surat Houd Chapter 12 verses 77-83*. Those towns were punished for their inhospitality to, and abuse of, travellers. In other parts of the same chapter of the Qur'an there is a call to admire and enjoy creation (the natural world) and a condemnation of the abuse of travellers.

All societies have ancient rules and customs in relation to hospitality. The Romans recognised the need for protection of travellers against the dishonesty of shipmasters, innkeepers and stablemasters. The Edict 'Nautae, Caupones, Stabularii' imposed strict rules on those travel service providers. If travellers' property went missing, they were automatically liable to compensate them. This is still the basis of hotelkeepers' liability in most European States and other States which have adopted the Civilian Legal Tradition<sup>1</sup>. The English, whilst rejecting the Roman Law, developed their own similar protections based on 'custom of the realm' and 'public trust' and these have spread throughout the Common Law world<sup>2</sup>. Those countries with a mixed system have tended to follow the Civilian approach<sup>3</sup>. Jordan has been influenced by both systems<sup>4</sup>.

These rules have been supplemented and updated by international conventions to which Jordan is a party e.g. the Athens Convention 1974 (legal obligations of international sea carriers) and the Warsaw Convention 1929 (legal obligations of international air carriers)<sup>5</sup>. The objective of these conventions is to provide adequate legal protection to the international traveller. Many States also apply these rules to domestic travel.

### 3. Travel or Tourism Law?

The objective of this Contract is to provide advice and recommendations in respect of "Tourism Law". The existing tourism legislation makes plain that this covers domestic and international tourism. The focus is thus concerned not with travel itself but with tourism. It is not concerned, for example, with the design and safety specifications of transport but rather with the rights and obligations of the providers of such transport to tourists.

All tourism includes travel but not all travel is tourism. Most of the attempts at making the distinction between travel and tourism have been made by social scientists, in particular by economists, sociologists, social anthropologists and of course, by tourism specialists. There remains no clear distinction. However, it is the purpose or motivation for the journey that distinguishes travel from tourism.

A meeting of the Council of the League of Nations on 22 January 1937 adopted a basic formula for distinguishing between tourist travellers and non-tourist travellers in order to facilitate the collection of national and international statistics on tourism. The distinctions, however, included 'persons travelling for business purposes' in the tourist category whereas 'persons arriving with or without a contract.... to engage in business activity' were categorised as non-tourists. In the former, the travel is engaged in an

---

<sup>1</sup> Mainland Europe, Central and South America, Francophone Caribbean and Africa, Mozambique, Angola, Vietnam, Laos, Cambodia etc.

<sup>2</sup> England, Wales, Ireland, Canada, USA, Anglophone Caribbean and Africa, Malta, Israel, India, Japan, Singapore, Hong Kong, Australia and New Zealand.

<sup>3</sup> Scotland, Quebec, South Africa, Sri Lanka etc.

<sup>4</sup> Also Palestine, Egypt, Libya, Kuwait and other GCC countries

<sup>5</sup> The latter will soon be replaced by the Montreal Convention 1999, once 30 States have ratified it

activity that benefits a business in his own country; in the latter this activity benefits a business at the destination country. It was an unworkable distinction.

In 1963 the UN Statistical Commission clarified the matter by providing that those who travelled for business purposes and which were remunerated in the destination country were not tourists whereas those travelling for business purposes but were remunerated in the country of departure were tourists.

It is, to the lawyer, somewhat surprising that business travellers are included in the tourist category. The World Tourism Organisation's definition also includes business travel in the tourist category. It states that tourism comprises "the activities of persons travelling to, and staying in, places outside their usual environment for not more than one consecutive year for leisure, business and other purposes". The argument for this inclusion is an economic one. The amalgam of service industries that are used to service a leisure traveller and a business traveller have a core central to both i.e. hotels, catering, transport, meeting places, travel retailers. Some of the same buildings and equipment are used. The services are provided by staff that deploy the core skills and information systems, whatever the motives of their customers for making their journey or sojourn.

There are, however, important factors that distinguish the business traveller from the tourist. The choice of destination of the business traveller is not usually determined by personal considerations. He does not require advice in choosing the destination. The cost of the journey is borne by the business. In the case of leisure travel, the choice of destinations is at the discretion of the traveller, who may act on the advice of the travel agent. The cost is borne by the tourist and thus the leisure component of the travel market is highly price elastic.

It may be argued that the justification for providing special legal protection for the tourist is greater than that for the business traveller. The tourist involved in international travel is a stranger at the place of destination: the business traveller is less so in that she/he has customers or suppliers at the destination. The tourist may not be familiar with the country of destination, still less with the quality and alternatives of accommodation and other services available. He is in a weak bargaining position, particularly where the country visited has a different language, different currency, different legal protections and perhaps obstacles to freedom of movement, from that of the country of residence.

It is clearly intended that any proposed new legislation will cover both leisure tourism and business tourism. Nonetheless, there may be special provisions within it which provide added protection to the leisure traveller. This is consistent with best practice elsewhere. Likewise, there may need to be a distinction drawn, for some purposes, between the international tourist and the domestic tourist.

#### **4. International Harmonisation of Travel and Tourism Law**

The opportunity for exclusively national regulation in the field of travel and tourism will gradually diminish in the context of increasing globalisation. While it is necessary to seek to adhere to actual and emerging legal norms, the reality is that the optimum response may occur through legal regulation at a regional level. Regulation at a regional level refers to regulation via legal

communities such as the EU in Europe, MERCOSUR or NAFTA in the Americas, and in an African context, ECOWAS or SADC. And of course, in this region, the Gulf Cooperation Council (GCC).

Jordan is not a member of such a bloc but might choose to emulate its trading partners. For example, Iceland, Norway, Switzerland and Liechtenstein are not members of the EU but have adopted its regulatory framework in tourism.

As States are increasingly integrated in emergent regional legal communities, the likelihood is that legal regulation will occur at that level. Such regional legal developments in turn will influence the development of International Law.

Worldwide, there is a process of convergence of Travel and Tourism Law. The development of International Law itself is a reflection of convergence. "Convergence" has been a popular term in the communications technology context as an explanation of the coming together of hitherto discrete technologies, formerly separated in discrete compartments, but increasingly joined together by technology. In addition to this technological convergence there are the various types of legal convergence. Globalisation could be seen as a process of convergence. The fact that it is often a process of legal convergence has largely been ignored.

Whilst there are powerful forces of convergence, harmonisation and standardisation; there is a need for sensitivity to specific regional factors. It would be a mistake to project an EU model wholesale onto Jordan, for example. Jordan is at a unique stage on the trajectory of institution building. The religious, natural, physical, political, socio-economic and cultural conditions are distinct. Nevertheless, any recommendations should take into account the international harmonisation process whilst respecting the customs and traditions of Jordan.

## **5. Tourism Law in the Middle East Region and Comparison with Ireland**

Four countries have been chosen as examples in the region. These are:

- Oman;
- Bahrain;
- Saudi Arabia;
- Kuwait

These countries were chosen as they are GCC neighbours that have had similar historical legal influences as Jordan, although it must be noted that Bahrain and Saudi Arabia are about to make changes to their laws. Ireland has one of the most successful tourism sectors in the world. Nonetheless, it has recently radically changed its Tourism Law to make it even more competitive and thus may provide useful guidance when considering drafting new provisions for Jordan.

### ***Oman***

Oman recently changed its Tourism Law. Royal Decree No. 33 of 2002 Issuing the Law of Tourism is the new framework and replaces the Royal Decree No. 12 of 1988 the Regulations for Travel and Tourism Offices and subsequent amendments.

Article 1 sets out the Objectives of the Law. These include development of tourism resources, regional development, institutional framework and the promotion of cultural bonds between the Omanis and the peoples of other nations.

Article 2 provides the definitions. The definition of "tourism" includes recreational activities, by inference – sport and health tourism. The definition of "hotel establishment" may be a mistranslation as what is described is the whole range of tourist accommodation. The various definitions do not reflect international practice.

The Ministry of Commerce and Industry (MCI) is responsible for the supervision, development, advancement and promotion of tourism in the Sultanate. In doing so, it and tourism enterprises must act in accordance with the laws and customs of Oman.

Foreign companies are permitted to be licensed as tourism businesses in Oman. The Directorate General for Tourism of the MCI is responsible for the licensing system. Article 7 requires tourism enterprises to make regular submissions of information, programmes etc to the Directorate General. Advertising material requires the prior approval of the Directorate General.

Chapter II establishes the National Committee for Tourism. It comprises the Minister for Commerce and Industry, the Executive President of the Oman Centre for Investment and Promotion and Export Development and 5 representatives of the private sector. As part of its facilitative role, it is required to explore the removal of any obstacles to the allotment of land for "tourist regions" and projects and to simplify procedures.

Chapter III deals with the designation of tourist zones ("regions") and sites. This is done by the Minister, with the approval of the Council of Ministers. The Ministry is responsible for administration, construction and planning of these zones and sites. Enterprises wishing to do business in these areas require a licence from the MCI.

Chapter IV governs hotels and "other tourist establishments". Article 13 provides for classification. Professional associations for the tourism sector are authorised under Article 14, in accordance with the Law of Private Societies. Articles 15, 16 and 17 regulate time-share developments.

Chapter VI deals with travel and tourism offices. These cover the traditional roles of travel agents and tour operators. It does not apply to organisers of trips to perform hajj or umrah. The rules governing travel and tourism offices are set out in Executive Regulations. Tour guides require licences and their activities are regulated under Article 20.

Chapter VII establishes the Tourism Development Fund resourced by the Government allocated annual budget, part of the licence fees and allocations made on request to the Council of Ministers. The National Committee for Tourism allocates the funds for research, training, assisting tourism projects, building databases and marketing.

Employees of the Ministry, with the prior approval of the Ministry of Justice, have powers of "judicial control commissioners" to inspect tourism enterprises, enforce the Tourism Law etc. Tourism enterprises are required to provide access to all documentation etc. Chapter IX sets out the penalties for non-compliance with this Law, but these do not replace any harsher penalty of the Penal Law of Oman if such penalty exists.

The Omani Law is quite comprehensive. Chapter II (National Committee for Tourism, Chapter III (tourism development zones), Chapter VII (Tourism Development Fund) and Article 14 (professional associations for the tourism sector) are useful examples for Jordan. However, despite the fact that it provides for Executive Regulations for some matters, it lacks the detailed provisions needed for the sector and leaves too much to bureaucratic discretion.

### ***Bahrain***

The Supreme Council for Tourism (also referred to as the High Tourism Council) was established by Decree No. 1 of 1985 under the Presidency of the Minister of Information. It is convened every three months. Its objects are to facilitate tourism by making suggestions for its development, removal of obstacles, propose legislation and encouraging a favourable perception of tourism amongst the population.

The Legislative Decree No. 15 of 1986 Governing Tourism defines the tourist services and provides for the designation of tourist sites. Tourist service businesses are required to be licensed. Licences are also required for developments on designated tourist sites. There are provisions (Art. 4) for the renewal, suspension or cancellation of licences. Appeal lies to the High Civil Court.

There is provision for the establishment of committees to deal with particular aspects of tourism. Article 11 provides for classification of tourism services. The decree also has enforcement provisions and sets out penalties for non-compliance.

Ministerial Order No. 2 of 1987 regulates furnished apartments leased to tourists. These are to be regarded as "tourist services" within the meaning of the law and require to be licensed. It contains rules requiring such apartments to be located in independent buildings in areas specified by the Directorate of Tourism. They must have a manager. The criteria for obtaining a licence are set out in the Order.

Ministerial Order No. 2 of 1990 governs the licensing of travel agents and tour operators. Tourism service restaurants are regulated by Ministerial Order No. 1 of 1991. It provides some detailed regulations as to the nature of the building, its furnishings and hygiene requirements. Marine tourism services are regulated by Ministerial Order No. 2 of 1991. It also covers diving licences and insurance requirements.

Although comprehensive, like Oman, the provisions are not sufficiently detailed. They leave too much to the discretion of officials. The obligations imposed on tourism service providers are not specific enough to be objectively enforceable.

### ***Saudi Arabia***

Council of Ministers Resolution No. 9 of 1421 H established the Supreme Commission for Tourism (SCT) to undertake tourism development as "a productive sector that contributes to the creation of new investment and employment opportunities for Saudi citizens, promotes the national human capabilities and encourages domestic tourism."

The SCT was established as a Higher “Authority” as a separate corporate entity directly attached to the Prime Minister. Its headquarters is situated in Riyadh, and is entitled to establish branch offices in different areas of the Kingdom as required.

Since its activity is focused on the general economic venture of the State and it is subordinated to the Prime Minister, it is supposed to enjoy the same flexibility, liberty, mobility and capacity to take initiatives that public corporations normally enjoy.

One of the most important provisions of the Resolution is its articulation of a general rule as to the designation of tourism places in the Kingdom, to be referred to as “Tourism Development Areas (TDAs)”; namely:

- Public natural places not held in private ownership, such as seashores (beaches), forests, mountains, valleys, parks, etc.
- Places to be determined by the SCT.

It is stated in the Resolution that these places shall be protected by the Law and shall not be owned by any party other than the State. The Resolution further provides that these places shall be exploited and invested directly by the State or otherwise leased to the private sector through public bidding. This indicates the same method by which suitable areas of land are granted for tourism investment (i.e., in the form of tourist resorts and chalets) by the Minister of Agriculture and Water. But it does not specifically show how the SCT is to play its role in this regard. Other than specifically identifying the SCT as the competent authority for designating the public natural places as tourism development areas, there is no further articulation.

The Resolution does not describe the mechanism by which the SCT may make land available for tourism development, or acquire land for that purpose.

One clear aspect of the separate legal status enjoyed by the SCT is that it has an independent budget passed in accordance with the General Budget of the State, from which expenditures are made according to the directives and guidelines of the General Budget.

According to Article 12 of the Resolution, the revenues of the SCT, consist of the following:

- Funds allocated to it from the General Budget.
- Gifts, subsidies, grants and bequests accepted by the SCT in accordance with the standards approved by its Board of Directors.
- Other resources to be determined by its Board of Directors.
- Membership subscriptions, the amount of which are determined by the Board of Directors and exacted from the investors considered to be the beneficiaries of the SCT’s services.

This means that the SCT is fully empowered to decide and approve suitable sources of income to enhance its financial position and provide adequate resources for the implementation of its Programmes. This measure need not be sanctioned by a superior decision from the Council of Ministers or a decree from the King himself. It is, as is clear from the wording of the Law, a prerogative power of the Board of Directors, which it can exercise at any time. The main purpose of the Commission, according to Article 4 of the Resolution, is to undertake tourism promotion, enhancement and development in the Kingdom, remove impediments and ensure that it becomes a net contributor to the national economy. The private sector is to play a major role

in contributing to tourism development in partnership with the State. The Commission must formulate the general policy for the development and promotion of the tourism sector; which role includes, but is not limited to, the following:

- Evaluation of infrastructure projects for different tourist sites and establishment of the required programmes to complete them. This gives it a mandate in respect of all tourism-related projects in the Kingdom.
- Removal of impediments facing tourism activities and providing facilities and incentives to investors. This involves facilitation and encouragement of investments, providing funding options, providing feasibility studies and market analysis, licensing tourism projects, etc., in addition to other executive powers related thereto.
- Establishing a comprehensive information centre, preparation of a media plan for tourism encouragement and activation, in co-ordination with the relevant bodies; and publication of the necessary information materials.
- Conducting intensive surveys of the tourist areas in the Kingdom and updating these surveys periodically and evaluating the tourism potentialities for each area.
- Supporting efforts aimed at tourism development and encouragement and preservation of tourist sites, traditional handicrafts, industries and popular markets and preventing their disappearance.
- Co-ordinating efforts between the relevant governmental and private bodies in furtherance of the Commission's goals.
- Strengthening co-operation and co-ordination between the Kingdom and other States to realize the tourism sector's goals in the Kingdom.

The Board of Directors consists of HRH the Second Deputy Chairman of the Council of Ministers, 10 other Ministers and HRH the Secretary General of the Commission. A number of members, not less than five and not more than seven, are selected and appointed on their merits by a resolution of the Council of Ministers for a period of three years upon nomination by the Chairman of the SCT's Board of Directors. However, it stipulates that none of them should have a vested interest in any tourist investment activity.

The current Statute focuses on the development of particular locations and thus appears to view the role of the SCT as a tourism development corporation, albeit a publicly owned one. However, Article 2 of the resolution clearly intended to give the SCT responsibility for the tourism sector as a business activity, not to take over and run it, but to promote it as a private sector activity.

There are a number of provisions in the Resolution that provide useful guidelines when drafting a new Tourism Law for Jordan. In particular:

- The high status of the SCT as an independent body with control over its own budget
- Powers to designate tourism development areas and sites
- Powers to allocate land for tourism development
- The SCT's facilitative role
- The seniority of the Board members.

### *Kuwait*

Ministerial Decree No. 18 of 2002 established the Kuwait Tourism Sector within the organisational structure of the Ministry of Information. It replaced the Tourism Department of the External Information Sector. It has subsequently become known as the Kuwait Tourism Affairs Sector (KTAS). The head of the KTAS is an assistant Under-Secretary. Article 2 provides its function as "fostering tourism, and working for the encouragement and diversification of its activities".

Article 2 also provides the following competencies:

- "attending to internal tourism and working towards its development";
- "formulating plans and programmes aimed at attracting tourists to Kuwait in co-ordination with the competent agencies";
- "diversifying tourism services by encouraging tourism for conferences, exhibitions and festivals etc.";
- "co-ordinating and following up with government agencies and institutions operating in the field of tourism services with a view to achieving harmony among agencies and institutions relating to tourism in Kuwait";
- "Following up regional and international tourism relations and having presence in international tourism organisations, forums and events, in order to make Kuwait and its tourism potential known";
- "encouraging investment in tourism, and promoting and investing in new tourism projects"; and
- "proposing draft laws, regulations and decrees governing tourism business and activities".

Thus, the KTAS is responsible for:

- domestic and incoming tourism;
- encouraging business conferences, exhibitions and festivals;
- co-ordination and follow up with Government agencies;
- Co-operating at a regional and international level with tourism organisations;
- encouraging investment;
- investing in tourism projects; and
- proposing tourism legislation.

Article 3 sets out the internal organisation of KTAS. There are three departments charged with "oversight" of:

- tourism activities and facilities
- follow-up,
- marketing,
- external relations,
- research and studies, and
- tourism library and information.

An Appendix to the Decree sets out the objectives of the KTAS, i.e., that of producing a:

- social return,

- cultural return,
- environmental return, and
- economic return.

These imply policies and activities that respect the family and the traditions and customs of Kuwait. Arts, culture and archaeology are specifically mentioned. Respect for the environment is essential and economic development and job creation are key objectives.

The Appendix sets out 16 competences through which KTAS is to achieve these objectives. These are a detailed application of those set out in Article 2. However, they place greater emphasis on the promotion and oversight of cultural activities than Article 2.

### *Ireland*

The National Tourism Development Authority Act 2003 replaced the existing *Bord Failte* (the Irish name for the Irish Tourist Board) with a new National Tourism Development Authority. Its remit is to promote:

- domestic and international tourism (incoming)
- the development of tourism facilities and services
- training, human resource and marketing skills development.

There is no definition of tourism in the Act. The new body may refer to itself (e.g. for marketing purposes) as *Failte* Ireland (*Failte* is the Irish word for "welcome").

The functions of the Authority are set out in Section 8. These include:

- encouraging, promoting and supporting tourism within and to Ireland
- development and marketing of tourist facilities and services
- recruitment, training and education for the tourism sector
- establishment and maintenance of registers of hotels, guesthouses, holiday camps, caravan sites, camping sites, approved holiday cottages, holiday apartments, motor hotels and youth hostels
- promoting and engaging in research
- supporting tourism enterprises and projects.

The Authority has power to:

- undertake advertising, sponsorship and other publicity
- publish lists of registered and unregistered premises
- establish and operate tourist information offices
- provide financial aid for recruitment, training and educational purposes
- provide financial aid to tourism enterprises
- provide advisory and consultancy services
- provide training services
- provide training services overseas.

The Authority must act in accordance with Government policies and, in particular, those that protect the Irish language and culture. The Minister may, with the consent of the Minister of Finance, convey additional powers on the Authority.

The Authority is empowered to establish companies and to acquire, hold and dispose of shares or other interests in companies. It can delegate certain of its functions to a committee, a subsidiary or a company such as Tourism Ireland

Ltd. It may also contract out its responsibilities for registration, grading or inspection to other bodies.

The Minister may issue the Authority with general policy directions.

The Board comprises a chairman and 12 ordinary members, appointed by the Minister, and who have relevant expertise. The period of office is 5 years. There are the usual anti-corruption provisions. They are paid remuneration and expenses. There is also provision for the establishment of advisory committees.

The Minister allocates a budget to the Authority. There are standard provisions on the appointment of the Chief Executive, annual accounts and audit, confidentiality, rules on appointment of staff and transitional arrangements.

This is a comprehensive piece of legislation and it may be useful to refer to it in drafting the Jordan's Tourism Law. Its focus is on the institutional framework and the strengthening of the national tourism organisation. Ireland has other legislative provisions and the common law that deals with the obligations of hotel owners and managers, travel agents, tour operators and other tourism service providers.

## **6. Key Notes on World Tourism Organisation Report on the Role of NTAs and NTOs**

This Report contains the results of a survey of the structures, spheres of competence and activities of National Tourism Administrations (NTAs) and National Tourism Organisations (NTOs) worldwide.

An NTA is defined as: "The central or federal government body with administrative responsibility for tourism at the highest level" e.g. MoTA. It doesn't matter if the Ministry has other responsibilities e.g. Antiquities. Where such a Ministry has an independent section specifically devoted to tourism, that section is defined as "an executive body for tourism that is an integral part of the NTA in question".

An NTO is defined as an: "Autonomous body of public, semi-public or private status, established and recognized by the State as the body with competence at national level for promoting inbound tourism". This is the role of the JTB.

The NTA prepares the national tourism policy in coordination with other policies, notably economic, social or environmental. The policy is developed in consultation with the representatives of professional trade associations and regional or local tourism representatives.

The national tourism policy establishes the main objectives, strategies and actions required with the aim of preparing a general framework that is conducive to sustainable tourism development.

### ***Background to the Study***

*"Tourism will continue to be a fundamental factor of economic growth, regional development, job creation and lasting peace and prosperity for peoples".*

*"The role attributed to NTAs and the resources at their disposal are generally very inadequate".*

WTO Second International Forum, "Parliaments, Local Authorities, NTAs and the Tourism Industry", Bali 1996.

The Conclusions and Recommendations of the WTO First International Forum at Cadiz in 1995 called on Parliaments and Governments to furnish NTAs with the tools appropriate to carrying out the responsibilities entrusted to them and to the economic weight of the sector for which they are responsible. The Bali Forum stated that NTAs must have sufficient resources available to fund substantial public investments.

With this in mind, the WTO-OMT conducted this survey. 97 countries took part and the survey was conducted in 2002. A similar survey was conducted in 1993 and this enabled the WTO-OMT to identify subsequent changes and new trends.

### ***NTA Results***

#### **Africa: 22 countries responded:**

- 6 had a Ministry of Tourism.
- 16 had a Ministry responsible for tourism and another sector: environment (5); culture (5); economy (4); transport (2); others (2).
- The executive body for tourism is usually a department (4) or a directorate (4).

#### **Americas: 22 countries responded:**

- 7 had a Ministry of Tourism.
- 6 had a Ministry responsible for Tourism but Tourism was not in the title of the Ministry.
- 4 had a Ministry responsible for tourism and another sector: economy (6); sport (3); transport (2).

#### **East Asia and the Pacific: 13 countries responded:**

- 3 had a Ministry of Tourism.
- 3 had a Ministry responsible for Tourism but Tourism was not in the title of the Ministry.
- 3 had a Ministry responsible for tourism and another sector: culture (3); economy (3); transport (2).

#### **South Asia: 5 countries responded:**

- 2 had a Ministry of Tourism.
- 2 had a Ministry responsible for tourism and another sector: culture (2).

**Europe: 33 countries responded:**

- 3 had a Ministry of Tourism.
- 15 had a Ministry responsible for Tourism but Tourism was not in the title of the Ministry.
- 25 had a Ministry responsible for tourism and another sector: culture (2); economy (18); sport (6); others (13).
- 5 had Tourism Secretariats.

**Middle East: 2 countries responded:**

- 1 had a Ministry of Tourism.
- 1 had a Ministry responsible for Tourism but Tourism was not in the title of the Ministry.

**Worldwide: 97 countries responded:**

- 22 had a Ministry of Tourism (23%).
- Ministries of Tourism are more likely to be found in East Asia and the Pacific and in South Asia.
- 30 had a Ministry responsible for tourism and another sector: economy – 31 (35%); culture - 12 (14%); sport – 11 (12%); transport – 8 (9%).
- 25 had a Ministry responsible for Tourism but Tourism was not in the title of the Ministry (26%).
- The comparison with the 1993 figures shows a trend in all areas, except South Asia), to combine tourism with a Ministry responsible for economy.
- Whereas, in the past, tourism was often combined with culture, this has ceased to be the case in Europe and the Americas, but remains so in East Asia and the Pacific and in South Asia.
- There is a growing trend to combine tourism with sport.
- There is a trend away from combining tourism with transport.
- The executive bodies for tourism tend to be departments (22%) or directorates (21%).
- Only a small number of countries have exclusive Ministries of Tourism.

### *NTO Results*

- 28 (29%) have Tourist Boards: In Africa (50%); East Asia and the Pacific (31%); Europe (27%).
- In 60 (62%) the NTO has a public body status: Europe (48%).
- In the Americas and Africa 27% of NTOs have semi-public status.
- In Europe 3 (9%) of NTOs have private status.
- Only 29% had NTO offices abroad.
- 45% had representatives abroad.

### *Changing Roles of NTAs*

- 63% have had their role in Government strengthened: only 55% in Europe.
- 54% have been given greater autonomy for directing national tourism policy.
- 43% have been given additional responsibilities.
- 20% have lost responsibilities, but some of these gained alternative responsibilities.
- 10% have abolished the NTA.
- 20% have integrated the NTA into a Ministry or other government body responsible for another sector activity.
- 39% have decentralized some responsibilities to the private sector.
- The Bali Forum emphasized the desirability of extensive decentralization and of decision-making at the closest possible level to the tourism destination concerned, while complying with existing legal frameworks in order to ensure homogenous development and adequate environmental protection.

### *Spheres of Competences and Activities of NTAs*

<i>Other</i>	<i>NTA Directed</i>	<i>NTA and Other</i>	
Tourism Promotion and Information	6	13	-
Research and Statistics	13	6	1

Tourism Planning	17	3	-
Protection and Conservation of Tourism Resources	2	12	5
Development and Ownership of Tourism Resources	1	5	3
Tourism Human Resources Development	4	13	-
Quality of Tourism Development	9	7	-
Facilitation of Travel and Tourism Formalities	3	16	2
Liberalization of International Trade in Tourism Services	7	9	4
Consumer Protection	6	13	1
Tourist Health Issues	5	14	1
Tourism Signs and Symbols	7	11	1
<b>TOTAL</b>	<b>80</b>	<b>122</b>	<b>18</b>

- In Africa the tendency is to share responsibility.
- 77% of NTAs are exclusively responsible for tourism planning.
- 59% of NTAs are exclusively responsible for research and statistics.

- Responsibility for:

***Subject-matter***

***Usually Shared with***

Tourism promotion and information

NTO.

Research and statistics

Statistics Dept./Office.

Protection and conservation of tourism resources

Ministries/Departments responsible for environment and culture.

HRD

Public and private training institutes.

Facilitation of travel and tourism formalities	NTO/Foreign Affairs Ministry/Ministry of Interior/ Ministry of Transport.
Liberalization of trade in tourism services	Ministry of Trade.
Consumer protection	Ministry of Trade and consumer protection bodies.
Tourist health issues	Ministry of Health.
Signs and symbols	Ministry of Transport/ Public Works/Private Sector.

- In only 5 countries the NTA has no responsibility for protection and conservation of tourism resources.
- The three forums (Cadiz, Bali and Rio de Janeiro) emphasized the importance of these activities in fostering an appropriate enabling environment for tourism development.
- The comparative figures show that, whereas, many of these activities were formerly the responsibility of other public bodies, they are now more commonly shared with the NTA (54%) or are exclusively its responsibility (26%).
- There has been some move away from NTAs being directly responsible for research and statistics (from 49% to 34%) and from tourism promotion (49% to 33%).
- Protection and conservation of tourism resources and tourist health issues are the two areas where NTAs frequently have direct responsibility.
- *Administrative Support Measures:*
  1. Initiative for drafting legislation and regulations 89%
  2. Adoption of specific rules and regulations 86%
  3. Taking administrative decisions applicable to specific cases 86%
  4. Formulation of recommendations targeting professionals 77%

5.	Formulation of recommendations targeting Consumers	70%
6.	Granting licences	69%
7.	Imposing sanctions for failure to respect administrative decisions	57%
8.	Keeping tourism sector registers	55%

- In Africa, most of these administrative support measures (77-95%) are undertaken by NTAs. Only the keeping of registers gets a low rating (41%).
- In the Americas, 91% of the NTAs are responsible for 1-3. Only 55% are responsible for keeping registers. The East Asia and Pacific figures are similar.
- In South Asia, all these measures are the responsibility of all the NTAs except drafting legislation (80%) and imposing sanctions (60%).
- In Europe 1-4 are undertaken by 82-94% of NTAs. The imposition of sanctions is only available to 45%.
- In the Middle East (Egypt and Bahrain) all these measures are undertaken by the two NTAs except the imposition of sanctions in Egypt.
- The main growth area since 1993 has been the adoption of specific rules and regulations for the sector.
- *Economic Support Measures:*
  1. Direct Investment by the State:

a)	In infrastructure linked with tourism	65%
b)	In the tourism sector <i>per se</i>	53%
  2. Operation of tourism establishments carried out directly by the State 34%
  3. Assistance for the operation of tourism establishments 41%
  4. Procurement of non-budgetary resources for tourism development in the form of:

a)	Voluntary contributions	24%
b)	Levying indirect taxes	30%
c)	Trade revenue	15%
  5. Granting subsidies for tourism projects:

a)	Of public utility	41%
b)	Of a commercial nature	25%

6. Facilitating access to financial resources by:

a)	Authorizing loans	24%
b)	Guaranteeing loans	22%
c)	Providing expert opinions for investment ` projects	51%

7. Tax and financial incentives for tourism sector 57%.

- 67% invest in infrastructure linked with tourism. This is an increase from the figure for 1993 i.e. 50%.
- There is a reduction of assistance for the operation of tourism projects from 66% to 41%.
- There is also a reduction in the number of NTAs who can facilitate access to financial resources by providing expert opinions for investment projects (75-51%).

***Coordination and Consultation Mechanisms***

- The Cadiz Forum emphasized the necessity of inter-ministerial cooperation, centring on, or in liaison with, the NTA.
- The Bali forum emphasized the need for coordination between the national and local authorities on tourism matters.
- 87% have established coordination and consultation mechanisms for the tourism sector.
- The coordination mechanisms may be committees, councils, commissions, chambers etc.
- 70% are between the NTA and its main public and private sector partners.
- 55% are between the national and local administrations.
- NTAs have assumed an increasing responsibility for coordination.

***Details***

- Countries with a Ministry of Tourism: (some have a title such as Commission but have Ministerial status).

- Africa:* Cameroon, Chad, Ghana, Madagascar, Mauritius, and Senegal
- Americas:* Bermuda, Costa Rica, Cuba, Dominica, Ecuador, Mexico, and Trinidad and Tobago
- East Asia and Pacific:* Cambodia, Myanmar, and Philippines
- South Asia:* India, Sri Lanka
- Europe:* Croatia, Malta, and Turkey
- Middle East:* Egypt
- Countries with a Ministry combining Tourism and Culture:

*Africa:* Algeria, Benin, Gabon, Guinea, and Niger

*Americas:* None

*East Asia and Pacific:* Fiji, Malaysia, and South Korea

*South Asia:* Iran, Pakistan

*Europe:* Belgium, United Kingdom

*Middle East:* None
  - Countries with a Ministry combining Tourism and Economy (Trade, Finance, Industry):

*Africa:* Botswana, Burundi, Morocco, and Uganda

*Americas:* Bolivia, Chile, Colombia, El Salvador, and Montserrat

*East Asia and Pacific:* Hong Kong (China), New Zealand, and Singapore

*South Asia:* None

*Europe:* Armenia, Austria, Belgium (Wallonia), Finland, Germany, Hungary, Lithuania, Madeira (Portugal), Monaco, Netherlands, Poland, Portugal, Russian Federation, San Marino, Slovakia, Spain, Sweden, Yugoslavia (Serbia)

*Middle East:* None
  - Countries with a Ministry combining Tourism and Environment:

*Africa:* Botswana, Namibia, Central African Republic, DR Congo, and Tanzania

*Americas:* None

*East Asia and Pacific:* None

*South Asia:* None

*Europe:* Latvia

*Middle East:* None

- Countries with a Ministry combining Tourism and Transport:

*Africa:* Burkina Faso, Seychelles

*Americas:* Barbados, Granada

*East Asia and Pacific:* Fiji, Mongolia

*South Asia:* Bangladesh

*Europe:* France

*Middle East:* None

- Countries with a Ministry combining Tourism and Information:

*Africa:* Kenya

*Americas:* None

*East Asia and Pacific:* None

*South Asia:* None

*Europe:* None

*Middle East:* Bahrain

- Countries with a Ministry combining Tourism and Other Sectors:

*Africa:* Congo (property Ownership)

*Americas:* None

*East Asia and Pacific:* Mongolia (Infrastructure and Communications)

*South Asia:* Iran (Religion), Pakistan (Ethnic Minorities and Youth)

*Europe:* Albania (Urban Development), Azerbaijan (Youth), Austria (Technology, Innovation and Labour), Czech Republic (Regional Development), (France (Infrastructure, Housing), Georgia (Spas), Germany (Technology), Greece (Development), Italy (Production), Kyrgyzstan (Youth), Latvia (Regional Development), Sweden (Labour), United Kingdom (Culture, Media and Sport), Yugoslavia (Serbia) (Services)

*Middle East:* None

### ***Title of NTOs***

Administration (9); Agency (5); Association (2); Bureau (2); Centres (2); Chamber (1); Commission (1); Company (1); Corporation/ Convention (6); Council (3); Department (2); Directorates (4); Fund (2); Institute (4); Maison (2); Ministry (7); Office/Board (28); Organisation (5); Secretariat (1); Under-Ministry (1)

## **7. Best Practice**

### **7.1 The Role of Law in Tourism Development**

Organisations such as the World Tourism Organisation (WTO-OMT) have emphasized the distinct requirements of legal regulation of the travel and tourism industries.

In recent decades, the significance of Law itself has often been underestimated. This is as a result of the growing momentum associated with disciplines such as economics. An academic and analytical hegemony had ousted a healthy examination of the role of Law. Organisations such as the World Bank were partly responsible for this emphasis. However, the realisation that the post-‘Washington consensus’ had focused unduly on abstract economic and fiscal studies, without having focused on institution-building emerged after the economic failures in South-Eastern Asia. If further corroboration were needed, then the difficulties of establishing a market economy in the former USSR provided it. Economic and fiscal success will only be built on a sound institutional framework. That framework is dependent on sound legal infrastructures. Thus it is clear that in the construction of an efficient travel and tourism industry, Travel and Tourism Law, which builds a functional, institutional framework, is a fundamental aspect of any holistic, facilitative approach. Although the principles and norms of legal regulation of the travel and tourism industry have occurred and are occurring (for instance in the fields of aviation) there is a need for comprehensive national legal regulation.

The national legal regime must be consistent with developing international norms. Jordan's lack of legal synchronicity and harmony creates obstacles that impinge on the free movement of persons, goods, services and capital as is necessary to create a level playing field on which the State's comparative advantage may be exploited. It also conflicts with Jordan's future obligations under GATS. If Jordan does not have a sound legal infrastructure for travel and tourism, then it will act as a disincentive to investment.

## **7.2 The Need for a Coherent Institutional and Legislative Framework**

In many countries there is an unsatisfactory diffusion of organisational and operational responsibility for tourism. Thus, despite its importance to the economics of many states, it is nonetheless described as "the invisible industry". Unlike Jordan, few States have a Ministry whose sole or principal purpose is responsibility for tourism. Without a strong Tourism Ministry, the industry is often neglected or misunderstood at national level. It usually lacks a senior government advocate when dealing with other Ministries, most particularly the Finance Ministry. Often the latter will make generous provision of fiscal incentives to further industrial development but will exclude the travel and tourism industries or indeed impose heavier taxes and duties on them as a fiscal income generator. Whilst Jordan is fortunate to have both a Ministry and a Tourism Board, there needs to be greater harmonisation of organisational involvement in the tourism sector.

The Kingdom should have a tourism law that sets out the functions and powers of the national tourism organisation and its relationship to other Ministries and public bodies, the JTB, advisory bodies and the private sector. The statutory responsibility for, and the relationship between, tourism and cultural and heritage protection and promotion should be made clear. The legislation should set out precise definitions of the entities and activities involved in tourism and these should reflect international norms and conventions. Some kind of statutory national forum should be established comprising of officials of Ministries and other public bodies whose activities affect or are affected by tourism. This forum should address matters that require cross-Ministry solutions. The existing National Council for Tourism does not adequately fulfil this role at the moment.

This standardisation of the institutional framework for tourism facilitates international co-operation. It also ensures that potential investors are clear about which institution is responsible for tourism development and promotion.

The Government of Jordan is committed to growing the private sector and an objective of this project is to put forward recommendations to further this goal in the tourism sector. In order to achieve this, we must ensure that our proposals promote an appropriate, harmonious and constructive relationship between the Ministry of Tourism and Antiquities, other Ministries, the JTB and other public bodies whose activities impact, directly or indirectly, on the tourism sector.

The Government's, and more specifically the MoTA's, role should be that of strategist, providing clear direction. The JTB and/or any other institution we recommend (e.g. tourist development corporation, tourism

enterprise trusts etc.), should act as a facilitator. In a recent World Bank Report<sup>6</sup> it was stated:

*"In many of the 'Asian miracle' countries, the key to energising the private sector has been building strong collaborative bridges that improve the flow of information and develop trust between government and business".*

Unfortunately, in Jordan, as in many other countries, the interface between government and the private sector is often fraught with red tape, restrictions and bureaucratic entangles. At first glance, it appears that the private sector is governed by an intricate web of rules and regulations. As stated above, these are not specific to the tourism sector and are sometimes insensitive to its needs. Furthermore, although there is fair legal redress in the Jordanian courts for Jordanians and non-Jordanians alike, and a system for enforcing judgements, the judicial system is slow and cumbersome.

In making legal recommendations, we should, therefore, adopt the following approach:

- Is it necessary?
- If so, can it be simplified?
- Is there a role for Government to be involved?
- Does it promote a competitive environment?
- Does it promote economic efficiency?
- Are the rules unambiguous?
- Does it set performance standards?
- Does it enforce public accountability?

Laws and regulations must be transparent and coherent. In drafting our proposals we should seek to avoid bureaucratic discretion and to ensure standardisation. We should encourage consultation with other Ministries, public bodies and, most importantly, with the private sector before these laws and regulations come into effect. Licences, for example, should only be awarded on the basis of merit in order to avoid favouritism, corruption and bribery. There needs to be a system of checks and balances, with appropriate rights of appeal and a review of decisions and facts on specific legal grounds.

### **7.3 The Need for Institutional Capacity Building**

The national tourism organisation needs to be staffed by a commercially aware, financially sophisticated and experienced group of tourism professionals. The objectives of the organisation should be clear and job descriptions should be linked to those organisational objectives. The national tourism organisation should have strong leadership with clear statutory powers, authority and responsibility. That leadership should have experience, appetite and credibility. As fiscal incentives are usually the key issue in encouraging tourism development, the national tourism organisation should have expertise in the management of incentives in order to reassure the (often) sceptical Finance Ministry.

The staff of the national tourism organisation should be capable of liaising confidently, comfortably and effectively with other national and

---

<sup>6</sup> World Bank, *State of Kuwait: Energising the Private Sector*, Vol. 1, Summary Report and Action Plan, March 2001.

international bodies. Whilst the organisation should be independent with a clarity of function, and a clear locus of power and authority, that should not preclude it from having a useful synergistic relationship with other independent bodies. Organisationally, there needs to be a clear locus of responsibility for investment promotion in the tourism sector. There also needs to be a real, substantial, transparent, investor-friendly legislative framework.

#### **7.4 Standardisation of Definitions of Tourism Entities and Activities**

Consistent with the objectives set out above, it is important to standardize the definitions of terms used in Tourism Legislation in Jordan. These definitions should reflect international practice but should also be adapted to match Jordanian needs. The object is to ensure that the terms are consistently used in any proposed legislation or in securing amendments to existing legislation.

Finance Ministries are often cautious about the provision of fiscal incentives for the tourism industry because that industry is not clearly defined and thus incentives may be claimed by those who are only nominally engaged in the tourism business. Thus, it is imperative that there are clear statutory definitions of tourism enterprises such as tour operators, travel agencies, tour guides, hotels, pensions, tourist transportation, etc. These may/should be accompanied by licensing systems the principal purpose of which is to establish/maintain professional standards, training and qualifications and financial security and rectitude. The legislation should set out the rights and obligations of these tourism service providers and this should reflect international practice and conventions.

It is for these reasons that most States have supplemented the general provisions on liability, discussed above, with specific regulations. These provide protection to the tourist by:

- Regulating tourism service providers: e.g. by registration, licensing, classification, setting minimum standards and qualifications etc.
- Regulating tourist transactions: penalising false and misleading information; requiring full disclosure of relevant information; prohibiting unfair contract terms; permitting the tourist to cancel in certain circumstances; rules governing the amount of compensation etc.

#### **7.5 Summary**

- The principles behind the laws of travel and tourism are ancient in origin.
- They are based on anthropological, religious and socio-economic factors.
- It is important to be clear about what should be included in any proposed new tourism legislation.

- The Law should address domestic and international tourism (incoming and outgoing).
- It must cover “business tourism” as well as leisure tourism.
- Leisure tourists may need extra protection under the Law.
- It would be disadvantageous to the competitiveness of the Jordanian tourism sector to draft a Law purely based on national legal norms.
- Any new proposals should take into account emerging international and regional legal norms.
- Nonetheless, Jordan cannot and should not adopt wholesale a model that does not respect the distinctive characteristics of its society and its political, social and economic trajectory.
- In the past the role of Law in economic development has been underestimated.
- This has contributed to financial collapse in South East Asia in the 1990s and the problems in building a market economy in Eastern Europe in recent years.
- His Majesty has made plain that economic and fiscal success can only be built on a sound institutional framework.
- In many countries there is unsatisfactory diffusion of organisational and operational responsibility for tourism development.
- This also needs to be addressed in Jordan.
- The role of MoTA and the JTB needs to be reviewed.
- There will need to be an assessment of staffing capacity and development needs in order that MoTA and the JTB can effectively carry out their responsibilities.
- It is essential for the purposes of professionalisation of the tourism sector and ensuring that fiscal incentives are properly targeted that there are clear definitions of tourism entities.
- The Law should provide for the regulation of tourism service providers and tourism transactions.
- The Law should be consistent with the Government’s aim of encouraging the private sector.
- The role of MoTA should be that of strategist and facilitator.

#### **D. Analysis of Tourism Law in Jordan**

##### **1. Tourism Law 1988, as Amended (Law No. 20 for 1988)**

###### *Article*

1. This is a standard citation provision.
2. This contains the definitions. It is very brief and fails to meet the requirements for best practice set out in Section 7.4 of this Report. Furthermore other Articles also contain definitions e.g. Art. 3A.

3. This Article gives the Ministry responsibility for “encouraging, developing and improving tourism”. However, these are stated as aims rather than as obligations. The purposes for which it is to pursue those aims is “to increase its (tourism’s) contribution to the national income and the spreading of understanding among people”. These aims need to be redrafted to bring them into accord with the Government’s general policies and the particular priorities for tourism, in particular.

The Ministry is responsible for:

- The preservation and development of tourist sites.
- Licensing and classification.
- “Enhancing tourist related procedures...and providing them with means of comfort and care”.
- “Setting inclusive and comprehensive tourist publicity programmes and implementing and supervising them. In addition to marketing and promoting Tourism throughout the kingdom through cooperation with the concerned parties”.
- “Encouraging, organizing, and sponsoring domestic tourism and the tourist investment and organizing tourist programmes aiming at introducing the citizens to the distinguishing features of the Kingdom”.
- Providing the human resources and the technical potential.
- Commissioning studies and research concerning the development and improvement of Tourist occupations.
- “To carry on any other tourism related tasks decided by the Board”.

These need to be reformed to reflect the greater emphasis being placed by the Government on the role of the private sector. It needs to reflect MoTA’s role as strategist and facilitator.

The general functions need to be more comprehensively stated and should reflect those of NTAs elsewhere. This will help MoTA to address the issues which it posed to, but were not fully addressed by, the RDW Report on the competitive claims of other Ministries and public bodies in respect of tourist and heritage sites<sup>8</sup>.

---

<sup>8</sup> Report on the Feasibility of the Involvement of the Private Sector in the Management and Operation of Public Owned Tourism, Heritage and Historic Sites in the Hashemite Kingdom of Jordan, Amman, Jordan, June 2004.

Whilst the functions of the Ministry are stated, the powers are not. This has the following disadvantages:

- The issue of the competitive claims of other Ministries and public bodies can cause confusion and inertia in tourism development.
  - The private sector needs to be clear about what the Ministry can and cannot do. Transparency is a key factor for the World Bank, IMF and other agencies' rating systems on the regulatory environment for investment in a particular country.
  - Private sector investors or NGOs interested in taking over the management and operation of tourist and heritage sites will need to be clear about the extent and limitations of the MoTA's powers in deciding whether or not to tender. It will also be essential, in the case of litigation with a private or NGO operator to assist the court in determining whether or not the management contract has been broken.
4. This sets out MoTA's rights to establish colleges and other institutions for the teaching of tourism related skills.
  5. Establishes the Higher Board for Tourism (HBT) and contains provisions relating to meetings and procedures. There are clearly problems in convening meetings of such august persons and this led to the amendments discussed below. The objective of having tourism addressed at the highest levels might be better achieved by ensuring that it is placed on the Council of Ministers' (COM) agenda and that it is also given due importance at meetings of any financial, trade or economic sub-committees of the COM.

The procedures provided in the Article are insufficient.

6. Sets out the functions of the HBT. These are:
  - Setting the general tourism policy of the Kingdom and supervision of its implementation.
  - Proposing draft laws and regulations relating to tourism
  - Proposing the making of tourist agreements with international tourist organisations, societies, and countries.
  - Establishing tourist and hotel training centres and setting up their programmes and the instructions for running them.

- Setting the basis for licensing tourist occupations.
- Setting prices and charges for tourist services.
- Setting the basis necessary for the marketing and promotion of tourism.
- Any other tourism related tasks the Minister decides to put before the Board.

The national tourism policy should be developed by MoTA and put to the COM for approval, after consultation with the relevant stakeholders, including other Ministries and public bodies. Likewise, with drafting of proposed legislative measures. However, in respect of the latter, there is a real issue of contradictory measures being made by other Ministries under their delegated legislative powers (bylaws etc.). The Recommendations set out in this Report address this issue.

The setting of prices and charges, other than for publicly owned and operated tourist and heritage sites should be abolished. It is no longer an appropriate role for government in a modern economy and may conflict with World Trade Organisation rules.

7. Establishes the Tourism Committee and sets its procedures. This should be an important body and should include representatives of other Ministries and public bodies in addition to those mentioned. The procedural provisions also need to be reformed.
8. This sets the functions of the Tourism Committee i.e. to advise the Minister on the following:
  - Licensing and classification of tourism occupations.
  - Violations committed by tourism practitioners and the necessary decisions and procedures to be taken against them.
  - Any other tourism related matter proposed by the Minister to be analysed.

These are purely advisory and fail to address the key benefit of such a committee i.e. to deal with operational matters that require cross-Ministry cooperation.

9. This is a very brief and general provision requiring that those who practise or own a tourism business or occupation obtain a licence. “Tourism occupation” is defined in Article 3 but the definition is not comprehensive nor reflects international usage. The reference to “practice” or “own” is confusing. Is the business to be licensed or the person practising the occupation, or both? This needs tidying up.

10. This sets the procedure for the application for, and duration of, a licence. This provision lacks detail and transparency and provides for bureaucratic discretion rather than a proper licensing framework with rights and obligations. The duration period of a licence is unnecessarily short.
11. This deals with suspension and cancellation of licences and business closure orders. Again, they are too vague and too discretionary.
12. Sets the circumstances in which a person will be held to be in violation of their licence i.e.
  - If he failed to carry out his duties or perform his services toward his clients or other tourist occupation owners.
  - If he entered into an illegal competition with others or caused any damage to the national economy.
  - If he commits any act causing damage to the national tourism interest or its reputation. This includes acting in a way “contradicting with the general moral values and rule”.

These are vague, lack transparency and confuse Public Law and Private Law issues.

13. This imposes obligations on hotel management companies in respect of training and marketing and also addresses the issue of tax exemptions in respect of these.
14. Provides for the establishment of tourist trade associations and for bylaws dealing with such issues as status, membership, governance etc. Membership is compulsory. This is addressed in the Recommendations below.
15. This contains the penalties for:
  - Owning or practising a tourist occupation without having licence.
  - Practising or managing any tourist occupation in a way amounting to illegal competition, or damaging to the reputation of the national tourism, industries, tourist occupations, or the national economy.

This needs to be reformed to provide for transparency and natural justice.

16. This provides for the issue of Regulations by the COM in respect of the following matters:

- “Classification of and licensing tourist occupations, and identifying its charges and means of collecting it the international guaranties that must be posed and identifying prices of tourist services and its rates”.
- Identifying entrance fees for tourist locations and their exemptions.
- Qualifications for tour guides and setting the conditions, procedures and charges for tour guide licences.

17. This is a standard provision in respect of repeals and amendments.

18. This is the standard implementation provision.

In summary, this law is vague and fails to provide a transparent regulatory framework. It does not:

- Provide the institutional and regulatory framework identified by His Majesty for sound government and for the creation of a positive investment environment.
- Comply with the principles of natural justice.
- Reflect current practice.
- Reflect international standards.
- Provide the framework necessary for the pursuit of the national strategy for tourism
- Provide a sound framework for public-private sector cooperation.

**2. Tourism Activation Board Regulations 1997 (Regulation No. 62 for 1997)**

*Article*

1. This is a standard citation provision.
2. Contains the definitions. These are not sufficiently comprehensive, particularly for the provisions of Art. 3 in respect of classes of membership. There is confusion throughout in references to the “board”, does it mean the JTB or the board of directors of the JTB?

3. This establishes the “Tourism Activation Board”. It is more commonly referred to in English as the Jordan Tourist Board (JTB) and this is how it will be referred to in this Report.

The Article fixes the legal status of the JTB, its seat and its power to establish offices elsewhere throughout the Kingdom or abroad.

4. Sets out the functions of the JTB. These are:
  - “Activate and promote tourism, promulgate tourism awareness and cooperate in this regard with the Ministry and sectors working in the tourism professions.
  - Prepare tourism publications, films, booklets and posters; produce, publish, distribute and sell all types of tourism media and publish magazines and tourism professional periodicals with the approval of the competent official agencies.
  - Prepare studies and tourism marketing and statistical researches and implement them either by direct funding or by international aid and aid from non-government organisations in this field in accordance with the legislation applied in the Kingdom.
  - Participate with the Ministry, the official public organisations and the tourism sector to secure the required funding to carry out marketing and promotion campaigns approved in accordance with the legislation applied in the Kingdom.
  - Propose special projects and operations to improve and develop the tourism sites in the Kingdom
  - Participate in training and qualifying the workforce in the tourism sector.
  - Establish a national information centre to collect and analyse statistical information and indicators related to the tourism sector, locally, regionally and internationally.
  - Participate in the tourism-related functions and activities including the tourism weeks and festivals and participate in the occasions and national, regional and international conferences in a manner that serves the board’s objectives and aims related thereto”.

These are fairly comprehensive, but do not match those of NTOs elsewhere. They need tightening up and added to. Most importantly, there is no statement of the powers of the JTB or its limitations. This is a vital omission.

5. This deals with membership of the JTB. The expression and layout is confusing, at least in English, and needs tidying up. The specific reference to Royal Jordanian will need to be reviewed if Jordan pursues an “Open Skies” policy and in light of Jordan’s WTO-OMT and GATS Obligations.

There is no provision for the chairmen of the trade associations to substitute a nominee for membership. Other trade associations are not represented, such as JITOA.

6. Deals with the procedure for application for membership. These are not transparent. The board of directors (BOD) has unfettered discretion and there is no right of appeal and no provision for a disciplinary committee.

7. Sets the procedures for calling an AGM and its chairmanship.

8. Deals with quorate issues and decision-making.

9. Provides for continued management by the BOD until a quorate meeting elects a new board.

10. Deals with extra-ordinary general meetings of the JTB.

11. Sets the following tasks to be dealt with at the AGM:

- Discussion of the board of directors’ annual report for the previous year ended and approve the board’s operating plan for the new year.
- Endorsement of the final accounts for the year ended and approve the estimated draft budget for the coming year.
- Selection of a certified auditor for the board for one year and determine his fees.
- Election of the directors of the board in accordance with the provisions of the regulations.
- Any other matters the board of directors wishes to present to the general assembly.

12. Establishes membership of the BOD. The comment on RJA in Art. 5 above also apply here.

13. This sets the criteria for membership of the BOD i.e. must be

- Of Jordanian nationality.
- Not below twenty-five years old.

- Must be of good conduct and behaviour, not indicted in a crime or offence “that hurts the honour or public morality”.

The requirement of Jordanian nationality is questionable under WTO-OMC rules. The age requirement rules out energetic young entrepreneurs in a country where the demographics show a large young population.

14. This contains the procedures for application for membership of the BOD.

15. This governs the system of elections.

16. Empowers the BOD to set procedures etc. in relation to the AGM and elections.

17. Deals with the system of elections.

18. Governs meetings of the BOD.

19. Sets out the following tasks and responsibilities of the BOD:

- Prepare the annual report and final accounts for the year ended.
- Prepare the estimated draft budget for the new year and submit it to the general assembly.
- Set up the general policy for tourism marketing and promotion, the coordination channels and the JTB’s annual and periodic programmes.
- Look into any matters related to tourism development and the tourism strategy approved by the official agencies and cooperate with the Ministry in preparing the studies and general statistics.
- Enter into contracts with others in tourism matters and affairs.
- Approve incentives granted to the general assembly members and endorse facilities required to participate in international tourism events.
- Form the necessary committees to assist it in its operations and determine the tasks of such committees and submit their reports to it.
- Issue instructions to implement the provisions of these regulations including those related to administrative and

financial affairs and matters related to employees' appointment as well as all matters related to them.

- Appoint the director general of the board and delegate to him the authorities and responsibilities required to manage the board.
20. Deals with termination of membership of the BOD. There are no provisions for appeal.
  21. Deals with termination of membership from the JTB.
  22. Provides for the filling of vacancies on the BOD.
  23. Sets membership fees. It states the actual amount but makes no provision for variation.
  24. Sets the fiscal year.
  25. Identifies the JTB's financial resources i.e.
    - Contributions of the Government of the Hashemite Kingdom of Jordan allocated to the JTB in the State general budget.
    - Membership fees and annual membership fees in accordance with these regulations.
    - Contributions of the hotels classified as three, four or five star hotels at a rate of half percent (0.5%) of the ten percent (10%) which it collects for services. The Jordanian Hotel Association shall collect these contributions and transmit them to the JTB monthly
    - Contributions of Royal Jordanian or any organisation that may replace it at fifty thousand (50,000) dinars annually.
    - Contributions of the specialized tourism transport companies at twenty-five thousand (25,000) dinars each company annually.
    - Contributions of the other national airline companies at twenty-five (25,000) thousand dinars from each company annually.
    - Contributions in kind such as travel tickets, accommodation nights offered by the member and other organisations and companies.
    - Financial resources generated by the JTB as a result of conducting marketing and promotion activities and the profit generated from selling tourism posters, maps,

publications and other promotion means produced by the JTB and any other activity.

- Aids and donations granted by Arab and foreign governments and local, regional and international organisations provided that the Council of Ministers' approval be taken on the aids and donations if they come from a non-Jordanian source.
- Royalty of the JTB funds and interests due thereto.
- Any contributions approved in accordance with the provisions of these Regulations.

26. Provides that failure to pay fees, contributions or to fulfil obligations under these Regulations will result in termination of the licence "by decision of the Minister". It appears that it is at the Minister's discretion. This is not sufficiently transparent.

27. Provided for the transfer of the assets, rights and obligations of the existing organisation to the new JTB.

28. Provides for the reversion of the JTB's assets to the State in the event that it is wound up.

In summary, these provisions need some amendment to:

- Provide for greater transparency.
- To give greater flexibility in the variation of fees, contributions etc.
- Strengthen the definitions.
- Set out the powers of the JTB as an organisation.
- Take into account the proposed "Open Skies" policy.
- Provide for appeals in disciplinary matters.
- Remove unnecessary restrictions on membership of the BOD.
- Strengthen anti-corruption provisions.

### **3. Regulations Amendment to the Tourism Activation Board Regulations 1998 (Regulation No. 64 for 1998)**

#### *Article*

1. This is a standard citation provision.

2. This provides for an amendment to the contributions made by 3, 4 and 5 star hotels. A revised set of JTB Regulations, as suggested above, would permit such variations of contributions and fees without the need for the issue of new Regulations each time the BOD decided to do so.

#### **4. Tourism and Travel Companies Code 1996 (Code No. 14 of 1996)**

##### *Article*

1. This is a standard citation provision.
2. Definitions. Not sufficiently comprehensive.
3. Sets out the services that a travel and tourism office “shall” offer. No distinction is made between tour operators<sup>9</sup> and travel agents. These occupations surely have distinctive obligations and require specific regulatory provisions. This would not prevent a business or person being licensed under both categories.
4. Sets out the criteria for obtaining a licence. The requirement of Jordanian citizenship may be challengeable in the future as Jordan takes on more obligations under GATS, but is not illegal at the moment. It is not clear what the justification is for a flat rate minimum capital requirement. It is not obviously a consumer protection measure, so it appears purely to restrict market access.

The bonding provisions lack sufficient detail and allow for too much bureaucratic discretion.

Is there a need to include the provision re public indecency in the context of licensed business activities? Surely the provision on moral turpitude suffices.

It is not clear from where the applicant obtains a certificate of good conduct.

5. Contains the qualifications for a travel and tourism office manager.
6. Sets the requirements for the office i.e.
  - “Must have a title deed or a current lease agreement whereby the use of the leased premises is designated for tourism and travel business.
  - The area of the premises must be no less than forty five (45) meters square, and the Office should have the required risk prevention and public safety measures, as well as a WC. Offices that have been

---

<sup>9</sup> Or “tour organisers” in the EU terminology.

licensed prior to the issuance of this Code shall be exempt from this requirement”.

The second provision should be made more specific as to “the required risk prevention and public safety measure”.

7. Provides for interim conditional approval of the applicant by the Minister so that he can obtain a licence. See Recommendations on Licensing.
8. Provisions for the renewal of licences. There are no provisions for transfers of licences, particularly temporary transfers on the death or indisposition of the licence holder. This could cause a family particular difficulties in the case of death or illness of a business relative.

The requirement for annual licensing is rather bureaucratic and unnecessary, provided there are sufficiently strong provisions relating to suspension and cancellation of licences.

9. Sets the fees. This allows for no variation. Any increase would require an amendment to the Code. This provision, especially in respect of branches, is regularly contravened.
10. This sets out the following obligations for travel and tourism offices:
  - Requirement to employ no fewer than 5 qualified Jordanian staff.
  - To employ staff of good repute, not convicted of a felony or misdemeanour relating to moral turpitude or public indecency.
  - To provide MoTA with insurance policies to cover trip programmes offered by them.
  - To provide a report to the MoTA, at least 15 days in advance of the start of a trip programme, of specified details of the plans for the trip and a commitment to adhere to those plans.

It also provides that MoTA may confiscate the bond or part thereof to “meet payments of any demands that may arise out of the failure to maintain the said programme”.

The objective is a good one: consumer protection and protection for suppliers. However, the latter have recourse to the courts in Jordan or to Alternative Dispute Settlement mechanisms. It is unusual for a Ministry to interfere in what is a civil dispute matter. Ministries do, however, have responsibilities for consumer protection. However, the provisions in this Article are too vague to be of much practical use. See Recommendations.

11. Require office owners, employees and workers to comply with the “work ethics of the profession” and to comply with the following:

- Maintain books, records and receipts that are necessary to run the business.
- Provide the Ministry with all information pertaining to the Office, including a report containing full details concerning individual and group trips that the Office organizes.
- Not to publish, distribute or display any brochure, program, guide, map, picture or publication related to tourism advertisement prior to having the Ministry verify the accuracy of the information contained therein.
- Not to make changes to the Office commercial name or ownership, or any other aspect related to the function of the Office, its employees and location prior to informing the Ministry of the intended changes.
- Display the Office licence in a conspicuous place in the Office.

The wording of the stem of the Article is vague and ineffective. It also makes employees and “workers” equally liable for obligations that properly belong to the owner. They act on his behalf and he is answerable in law for them.

The Article needs updated to include computerised records.

The MoTA has somewhat leonine powers in respect of the right to details concerning “individual and group trips”, verification of information in publications and changes to office organisation and employment. This seems an unwarranted intrusion by the State on private business matters. Furthermore, it is doubtful that MoTA has the staff to do this effectively. See Recommendations as to how these objectives might be achieved in a more constructive and effective way.

12. Requires foreign travel and tourism offices to conduct business through licensed Jordanian counterparts.

13. Deals with operating branch offices.

14. Contains inspection provisions. These are insufficiently detailed.

15. Sets the penalties for violation of this Code by reference to the Tourism Law 1988 as amended. However, this does not fit the provisions of Art. 13 of that Law.

16. Standard provisions on implementation.

17. Standard provisions on repeals.

**5. Tourist Restaurants and Resthouses Code 1997 (Code No. 6 of 1997)**

*Article*

1. This is a standard citation provision.
2. Definitions. Not sufficiently comprehensive.
3. Defines a “tourist restaurant”, so classified “pursuant to the Minister’s instructions”. Strangely, it includes “tourist and amusement parks” and nightclubs. These are surely entertainments venues rather than restaurants.
4. This sets out the criteria for obtaining a licence. Once again, there is a flat rate minimum capital requirement.:
  - “The registered capital of a restaurant shall be no less than thirty thousand (30,000) dinars.
  - The owner, general manager and all restaurant employees shall be persons of good repute and conduct, not convicted of a felony or a misdemeanour relating to moral turpitude and public indecency, or one relating to fraudulent or nonfeasance-caused bankruptcy.
  - It should meet the technical standards provided for in this Code and instructions issued pursuant thereto”.

The second requirement prohibits a person who has become bankrupt from working in a restaurant. This seems unnecessary. Also, why require high moral standards for the cleaner and the kitchen staff?

5. Sets the rules for the management of the restaurant. These need to be extended. See Recommendations.
6. Provides a classification scheme. The provision lacks detail.
7. Provides the rules for an establishment obtaining the designation “tourist restaurant”.
8. Sets out the annual fees. No provision is made for variation of these.
9. Sets out the rules governing payment of the fees.
10. The Minister may give permission for the sale of alcohol and the hiring of musicians. This needs more detail.

11. Deals with inspection. These provisions are not sufficiently detailed. There are no provisions for closure orders.
12. Standard implementation provisions.
13. Sets the penalties for violation of this Code by reference to the Tourism Law 1988 as amended. However, this does not fit the provisions of Art. 13 of that Law.

**6. Hotels and Tourist Facilities Code 1997 (Code No. 7 of 1997)**

*Article*

1. This is a standard citation provision.
2. Definitions. Not sufficiently comprehensive.
3. Defines a “hotel facility” but does not clearly define what constitutes a “hotel”.
4. Sets the rules governing licences for hotels. These are not detailed enough and do not deal with extensions, alterations etc.
5. This provides the classification system. It lacks detail.
6. The Minister serves notice of the classification awarded. Although there is a right of appeal, there is no statement of the grounds upon which an appeal will be considered or the procedure to be followed.
7. Sets the licensing fees. No provision for variation.
8. Penalties for delay in renewal of a licence.
9. Sets out the rules governing the conduct of such premises. These are useful but not sufficiently comprehensive.
10. Ministerial approval is need to sell alcohol or to hire musicians. Again, this lacks detailed provisions.
11. Contains some inspection powers. It is not detailed enough and lacks provision for enforcement notices and closure orders.
12. Restrictions on the right to conduct tour programmes.
13. A very general provision entitling the Minister to issue instructions for the implementation of the Code.
14. Sets the penalties for violation of this Code by reference to the Tourism Law 1988 as amended. However, this does not fit the provisions of Art. 13 of that Law.

15. Standard repeals provision.

## **7. Tourist Guides' Code 1998 (Code No. 34 of 1998)**

### *Article*

1. This is a standard citation provision.
2. Definitions. Not sufficiently comprehensive.
3. Sets the requirements for obtaining a tour guide licence:
  - “Be a Jordanian citizen, twenty years of age or older.
  - Be not convicted of a felony or a misdemeanour relating to moral turpitude or public indecency.
  - Have earned a bachelor’s degree or an equivalent thereof, or, at a minimum, a diploma in tourist guide services from an accredited college.
  - Be able to pass examinations in the foreign language in which the applicant is fluent, and in knowledge of tourism-related information.
  - Be able to pass the examination to be held at the conclusion of the study course that the Ministry organizes.
  - Intends to engage in the profession full time, and agrees not to hold any other job or engage in any other profession, including trade and brokering”.

The restrictions on guides engaging in other occupations seem unnecessarily restrictive.

4. Provides separate categories of general guide and site guide.
5. Contains non-variable provisions on licence fees.
6. Governs the renewal of licences.
7. Provides the rules governing the national register of tour guides.
8. The Minister has power to set the guides’ fees. This seems an unwarranted State intrusion into the market place.
9. Sets out the obligations and prohibited activities in relation to tour guides.

10. This contains a useful continuing professional development requirement.
11. This contains two unconnected provisions. The first exempts guides from entrance fees at tourist sites. Surely tour companies should pay these. The second requires tour companies to employ guides to conduct tours. There is no provision for “tour managers”.
12. Sets the penalties for violation of this Code by reference to the Tourism Law 1988 as amended. However, this does not fit the provisions of Art. 13 of that Law.
13. The Minister is empowered to give instructions for the implementation of the Code.
14. Standard transitional rules and repeals.

## **E. Recommendations**

### **1. Need for New Laws**

The detailed analysis of the Jordanian Tourism Legislation in Section D indicates that the existing regulatory framework is in need of considerable reform.

Jordan has an opportunity to produce a modern institutional and regulatory framework in which the private tourism sector can thrive and in which public and private sector partnerships can operate effectively, by ensuring high professional standards and developing quality tourism products. In doing so, Jordan can draw best practice from relevant experience elsewhere and, given its commitment to the World Trade Organisation and in preparation for the implementation of the General Agreement on Trade in Services (GATS), reflect the international harmonisation of Travel and Tourism Law.

In redrafting the law, the following approach should be taken:

### **2. Objectives of the New Law**

- Creating a Legal Framework which fosters and underpins the development of Tourism in Jordan
- Ensuring that it fits within the Constitution and Legal Framework of Jordan
- Ensuring that the State bodies responsible for Tourism (MOTA and JTB) are efficient, dynamic and work within legal norms
- Strengthening the JTB
- Creating a supportive structure for the private sector
- Providing a framework for cooperation between the public and private sectors
- Clearly defining the Tourism Industry in accordance with international norms.
- Streamlining legal processes for tourism enterprises

- Facilitating the development of professional standards
- Promoting Sustainable Tourism Development
- Consistent with the World Tourism Organisation's Global Code of Ethics in Tourism
- Taking into account the requirements of the World Trade Organisation and the General Agreement on Trade in Services

In summary, ensuring that Jordan has a Tourism Law that:

- Reflects international standards
- Is consistent with Jordan's international obligations
- Reflects best practice
- Builds on Jordanian laws, customs and traditions of hospitality.

It should follow the essential characteristics of a good law i.e.

- The law must be transparent. This also covers the procedures for licensing, classification, awards, incentives, disciplinary provisions etc. Bureaucratic discretion should be kept to a minimum.
- It must be certain. No vague terms.
- It must not be capricious. There should be fair disciplinary measures, penalties, sanctions and systems of appeal.
- It must be published. A plain language guide should be prepared for the sector.
- It must be enforceable and enforced
- It should be objective
- It should contain anti-corruption measures
- There should be a fair system of appeal

### **3. Best Practice**

- The MOTA and/or the JTB have the following mission (the question is how to divide these)
  - Furthering tourism development;
  - Fostering the provision, maintenance or safeguarding of employment in the tourism industry;
  - The promotion of the efficiency and international competitiveness of the Jordanian tourism industry;

- Fostering the improvement of the physical environment in which the tourism industry operates;
- Furthering and enhancing heritage protection.
- General Functions
  - Develop, and submit to the Government for approval, the national tourism policy and associated strategies;
  - Implement and promote the national tourism policy and monitor its realisation;
  - Coordinate the tourism service activities of public sector organisations;
  - Cooperate with the State bodies responsible for Culture to protect, enhance and promote the culture and heritage of the Jordanian people;
  - Encourage, develop and improve tourism in Jordan;
  - Encourage people to visit Jordan;
  - To promote and provide opportunities for Jordanian residents to enjoy leisure and recreation within Jordan;
  - To encourage the provision and improvement of tourist, leisure and recreational amenities and facilities in Jordan;
  - Establish and maintain standards of tourism services;
  - To foster or assist in the provision of finance to persons carrying on, or intending to carry on, tourism undertakings;
  - Otherwise promoting or assisting the establishment, growth, re-organisation, modernisation or development of the tourist industry or any undertaking within that industry;
  - Foster the provision and adaptation of sites and the modernisation or reconstruction of premises for tourism undertakings;
  - Assisting in the management of sites and premises for tourism undertakings;
  - Fostering the development, redevelopment and improvement of the physical environment in which the tourism industry operates;
  - Fostering the preservation and development of heritage sites;

- To promote the revival and development of traditional handicrafts and popular arts, festivals and culture in co-operation with relevant Ministries and State bodies;
  - Licensing of tourism enterprises;
  - To maintain a register of tourist accommodation;
  - To carry out other tasks relating to tourism, heritage protection and cultural development which the Government determines.
- Defining and regulating Tourism Development Areas/zones
  - Coordination of policy and implementation through a revised High Council for Tourism and a Facilitation Committee
  - Setting out schemes of financial assistance and incentives
  - Enforcement mechanisms
  - Inspection
  - Standards, licensing, classification, registration

The existing Tourism Law as amended needs to be replaced with a more updated and comprehensive legislative framework. The following framework may form the basis of a consultative exercise (as described in the Workplan for the Tourism Law Strategy set out in 2 below).

#### **4. Replacement of the Tourism Law 1988**

##### **Chapter I: General**

###### **1. *Citation.***

###### **2. *Objects of the Law.***

This should include the contribution of tourism to the economic development of the country.

###### **3. *Contexts***

Setting out the general principle of sustainable tourism development; the encouragement of the private sector; public-private sector partnership; employment creation; and relevant principles from the WTO Global Code of Ethics in Tourism.

###### **4. *The Legal Framework and Application of the Law on Tourism and Related Laws.***

It is important to bear in mind that, although this law provides a comprehensive legal framework for the Tourism Sector in Jordan, the provisions of the Constitution and the general law also apply to public and private tourism entities, tourists transactions and to tourists themselves, whether Jordanian citizens or not.

**5. *Interpretation of Terminology.***

This is a very important Article. It should provide a comprehensive legal taxonomy for tourism in Jordan. All subsequent legislation affecting the sector should follow these definitions and previous legislation that will continue in existence after the adoption of this law should be amended to comply. This should overcome the current confusion in terminology. It should also assist in the precise targeting of financial assistance and tax exemptions to the sector. It should follow WTO-OMT and other international norms insofar as these are consistent with Jordanian legal norms and the principles of a market economy.

**Chapter II: Tourism Resources**

**6. *Classification of Tourism Resources.***

These should include definitions of natural and human tourism resources.

**7. *National Audit of Tourism Resources.***

This will provide an essential database for the Government and MoTA and assist in the gathering of national tourism statistics.

**8. *Sustainable Development of Tourism.***

These are the detailed principles that should guide all tourism development in the Kingdom. They should be based on the UN and WTO-OMT principles on sustainable development of tourism and on the WTO-OMT Global Code of Ethics for Tourism.

**9. *Principles of Tourism Resources Protection and Exploitation.***

Whilst Art. 9 focuses on sustainability, this Article focuses on economic development. The issue of synchronicity of policies is a vital one.

**10. *Designation of Tourist Sites and Tourist Attractions.***

The Minister should have power to designate specified areas as tourism development areas or tourism sites and such areas or sites should be subject to the planning restrictions and eligible for financial privileges specified in Regulations made by him or her.

This would give practical effect to Articles 8 and 9. It may be that the consent of other Ministers or municipal authorities should be required. It is strongly recommended that a standard set of zoning, planning and building regulations be devised for all Tourism Development Areas

and Tourism Sites. That these areas should have a tourism development corporation (see below) comprising representatives of the MoTA, the local assembly and the private sector and that in joining the corporation, the local municipality is agreeing to the zoning, planning and building restrictions.

**11. *Classification of Tourist Sites and Tourist Attractions.***

This would give the Minister Classification powers.

**Chapter III: Institutional Framework for Tourism**

**12. *General Functions of the Ministry of Tourism and Antiquities.***

These should be comprehensive and reflect those of national tourism administrations elsewhere. This should assist the MoTA in dealing with competitive claims of other Ministries in respect of tourism issues.

**13. *Powers of the Ministry of Tourism and Antiquities.***

These must also be comprehensive. They must be precise and must only be exercised in respect of the functions conferred by Article 12 and according to the objects in Article 2 and the contexts in Article 3. Some of these will be enabling powers i.e. they might not be exercised until a future date when MoTA has the staffing and financial capacity to do so.

**14. *Ancillary and Subsequent Powers.***

The Council of Ministers or Prime Minister may choose to confer extra powers at a later date e.g. MoTA might be given special responsibilities in respect of a major festival or international sporting event in the future.

**15. *Establishment of the Higher Council for Tourism.***

This should comprise of the Prime Minister (or Deputy) and relevant Ministers and senior State officials. It would meet at least once a year to give the impetus to tourism development in Jordan.

**16. *Functions and Powers of the Higher Council for Tourism.***

The purpose of this Council is to provide for cooperation and coordination between the MoTA and the Ministries and public bodies whose work impacts on, or is affected by the development, and activities, of the tourism sector.

**17. *Establishment of the Facilitation Committee.***

This should comprise of senior officials of Ministries and State bodies whose activities affect or are affected by tourism development. This would meet more often than the Higher National Committee.

**18. *Functions of the Facilitation Committee.***

The key function would be to deal with operational matters that require cross-Ministry cooperation.

**19. *Private Sector Advisory Board.***

This would comprise of members of the private sector elected from each of the trade associations plus 3 nominees of the Minister.

**20. *Protection and Promotion of Heritage.***

Whilst primary responsibility for these remain with the Department of Antiquities, natural and human resource heritage (built and non-material, such as culture) also form part of the tourist resources of the country. This Article would set out provisions for a harmonious relationship between tourism and conservation and contain a list of prohibited activities and penalties.

**21. *Re-Establishment of the Jordan Tourist Board.***

Establishing JTB with a stronger role. It might also change the name or permit it to adopt a marketing name.

**22. *Functions of the Jordan Tourist Board.***

These should reflect those of NTOs elsewhere. The law would contain enabling provisions. The JTB would only acquire these functions gradually as it develops the capacity to deal with them. This would create the appropriate balance between NTAs (MoTA) and NTOs (JTB) that exist in successful tourism countries.

**23. *Powers of the Jordan Tourist Board.***

As for Art. 20 above.

**24. *Ancillary Powers of the Jordan Tourist Board.***

As for Art. 14 above.

**25. *Power of the Minister to Give the JTB Directions.***

This is an important provision that is not clear from existing legislation.

**26. *Advising the Minister.***

A legal duty on the part of the JTB to provide the Minister with advice and information.

**27. *Membership of the JTB***

An amended form of the existing provisions.

28. ***Rules Governing Meetings of the JTB.***  
An amended form of the existing provisions.
29. ***Elections to the Board of Directors of the JTB***  
An amended form of the existing provisions.
30. ***Duties of the Board of Directors of the JTB.***  
An amended form of the existing provisions.
31. ***Appointment of Officers of the JTB.***  
This is a new provision.
32. ***Financial Resources of the JTB.***  
An amended form of the existing provisions.
33. ***Financial Matters and Audit.***  
This is a new provision.

#### **Chapter IV: Tourism Development.**

34. ***Tourism Development Fund.***  
In addition to the financial resources indicated above, a fund may be established with contributions from the State, NGOs and the Private Sector to promote particular projects in the tourism sector. It may be used for example to provide seed money to help small projects to get started or to provide training grants etc.
35. ***Programmes of Financial Assistance to Tourism Projects***  
The MoTA may devise schemes to promote to the Finance Ministry for assisting tourism development projects and for encouraging financial investment in the tourism sector. These may be by way of grants, soft loans and tax exemptions etc.
36. ***Enforcement and Conditions of Grants, Loans and Exemptions.***  
The MoTA will need powers to require information, to enforce the terms and conditions of grants, loans etc.
37. ***Powers of Inspection in respect of Grants, Loans and Exemptions.***  
The MoTA will need powers of inspection to enforce the terms and conditions of grants, loans etc.
38. ***Designation of Tourism Development Areas and Tourism Sites***

These are essential for targeting resources, planning controls, promotional purposes etc.

**39. *Establishment of Tourism Development Corporations or Partnerships.***

The MoTA should have power to establish Tourism Development Corporations (or Partnerships). The purpose is to enable the MoTA to engage in tourism development either itself or in partnership with NGOs, municipalities and governorates and the private sector. Each tourism development area would have a corporation. The corporation would be established comprising a Board with representatives of the various stakeholders involved in the tourism development area. The resources of the Corporation could come from public or private funds or a mixture thereof. The corporation would be wound up once the project was completed. As a corporation, it could recruit a Chief Executive Officer and staff of the highest calibre and with practical experience of tourism development on whatever terms necessary without being restricted to the rules governing the Civil Service.

The Corporation should not be regarded, for legal purposes, as the servant or agent of the State and shall not enjoy the privileges or immunity of the State. Neither should its property be regarded as State property.

As an alternative, a separate Tourism Development Law should be enacted. This alternative is set out below.

**Chapter V: Tourism Enterprise Standards**

**40. *Tourism Enterprise Standards and Licensing***

A key responsibility of MoTA should be to establish, promote and maintain high standards of service in the tourism sector. This Article would set out the mechanism for this. This will be a detailed provision setting out the types of licence, the procedures for dealing with applications, grant, renewal, refusal or suspension of licences, appeals etc.

Given that this will be an extensive Article, it may be preferable to keep it brief and put all of the detail in a new set of Tourism Enterprises Licensing Regulations. This alternative is set out below.

**41. *Classification of Hotels, Other Tourist Accommodation, Restaurants and Visitor Attractions***

The Minister should be empowered to make provisions for the classification of hotels, restaurants, and visitor attractions in Jordan. This would be an enabling power. It does not have to be exercised; neither does it require the classification of all types of hotels, restaurants and visitor attractions. It may be that the MoTA opts for a voluntary scheme and/or an independent one.

Any person whose establishment is to be the subject of a classification or grade should be entitled to make representations to the MoTA before any classification or grade is accorded to the establishment and before its classification is altered or cancelled. This is not only a

matter of natural justice, but ensures that the system has a positive nature rather than a negative one i.e. it encourages the sector to aspire to higher standards.

**42. *Registration of Tourist Accommodation***

This may be extended to include private citizens who rent out all or part of their property to tourists.

The Government wishes to expand employment opportunities and encourage small businesses. Although small hotels may not match the standard required to be classified or graded, they should nevertheless be permitted to provide accommodation and encouraged to improve standards. It is therefore important for the MoTA to know where these small hotels are and the nature and extent of their business.

**43. *Registration of Restaurants***

This would contain an amended version of the provisions of the Tourist Restaurants Code.

**44. *Registration of Cultural Associations***

This provides for the voluntary registration of such groups who wish to promote their activities to tourists. It enables the MoTA to ensure quality control and authenticity. The purpose is to ensure that they benefit from tourist expenditure and that they provide a quality and authentic product in exchange for that payment. They would be expected to comply with a code of conduct. In exchange, the MoTA would promote their activities to tourists.

**45. *JTB Approved Businesses***

JTB/MoTA may wish to recommend certain types of business (e.g. souvenir shops) and to develop handicraft authentication schemes.

**46. *Power to Inspect Tourist Accommodation, Restaurants and Other Tourism Enterprises and to Call for Information***

A comprehensive set of powers should be set out here.

**47. *Display of Business Name***

Based on existing provisions.

**Chapter VI: Consumer Protection**

It may be preferred that these provisions are set out in separate laws or regulations for each sector.

***Section 1: General Provisions***

**48. *General Obligations***

These are to prevent the general unfair trading practices that most annoy consumers e.g. false statements in promotional material, misleading price indications etc.

***Section 2: Travel Agents and Tour Operators***

**49. *Power of MoTA to issue Regulations.***

This Article should bring the regulation of travel agents and tour operators into line with international standards and addresses the concerns of stakeholders and the airlines about the need to ensure professional standards and to protect the public from unfair trading.

**50. *Travel Advisers/Consultants.***

This, and the next Article, ensures that the public are advised by trained staff. They should be based on amended existing provisions.

**51. *Travel Managers.***

**52. *Examinations.***

The Minister should be empowered to lay down regulations concerning the qualifications of tour operators and travel agency staff. He/she should probably consult with the relevant trade association and the airlines.

**53. *Continuing Professional Development.***

The travel industry needs to be able to quickly adapt to new technology and new methods of trading if it is to effectively compete with foreign counterparts.

**54. *Restrictions on the Right of Refusal To Provide a Service.***

A travel agency shall not unreasonably refuse to provide a service within the scope of its business.

**55. *Travel Agents' and Tour Operators' Rights and Obligations.***

These should be more comprehensive than provided for in existing legislation.

**56. *Display of Price Lists.***

A travel agent or tour operator should display at its place of business, in a prominent position, a table of services that it provides and the prices that it charges.

**57. *Payment of Accounts and Refunds.***

These will be new provisions.

**58. *Financial Protection.***

This will contain updated bonding provisions.

**59. *Record of Journeys.***

Based on existing provisions. This assists MoTA, the Ministry of Finance and the Government generally, to prevent fraudulent trading.

**60. *Disputes.***

This would contain provisions to ensure prompt and fair treatment of customers' complaints etc. and would provide a voluntary system of alternative dispute resolution.

**61. *Offences and Penalties.***

These would be stated more comprehensively and transparently than at present.

***Section 3: Hotelkeepers.***

The core of these rules is universal and to be found in the Civilian and Common Law traditions and are also consistent with Arab and Islamic traditions of hospitality.

**62. *Hotelkeepers' Duty to Receive Travellers.***

**63. *The Right to Refuse Accommodation.***

**64. *Duty to Receive Guests' Luggage and Motor Vehicles.***

**65. *Registration of Guests.***

This would require the Regulations on the content etc of these registers. These should be made in consultation with the Ministries of Public Security and Foreign Affairs.

**66. *Duty of Care.***

This would include defences based on the general defence of "force majeure" to be found in most legal systems.

**67. *Liability in Respect of Guests' Property.***

The Article should contain a limitation of liability clause to protect the hotelkeeper from excessive claims.

**68. *Illness of Travellers and Guests.***

These provisions are essential for dealing with, for example, the outbreak of SARS.

**69. *Conduct in a Hotel.***

These should reflect current prohibitions.

**70. *Provision of a Safe.***

**71. *Guests' Unpaid Debts.***

Hotelkeepers should not be required to pay for goods and services ordered from outside the hotel by guests.

**72. *Right of Security over Guests' Property.***

The hotelkeeper should be entitled to prevent the guest from removing his property from the hotel, if he has not paid for the accommodation and services that he has received.

**73. *Right of Sale of Guests' Property.***

Guests are always leaving things in hotels and there has to be a fair mechanism for the hotel to dispose of them.

***Section 4: Tourist Restaurants***

These provisions only apply to restaurants that have been given the designation "tourist restaurant" by MoTA.

**74. *Duty to Provide Refreshments.***

**75. *Right to Refuse Refreshments.***

**76. *Liability in Respect of Customers' Property.***

**77. *Illness of Customers.***

**78. *Duty of Care.***

**79. *Illness of Restaurant Staff.***

This is a vital public health provision.

**80. *Conduct in a Restaurant.***

**81. *Price Lists.***

**82. *Hotel Restaurants.***

**83. *Offences and Penalties***

***Section 5: Tourist Transportation***

**84. *Power of MoTA to issue Regulations.***

MoTA may, after consultation with the Ministry of Transport, regulate the activities and modes of operation of tourist transport providers and, amongst other things, prescribe:

- The criteria for classification of tourist transportation vehicles;
- The qualifications of the driver;
- Safety requirements for the vehicle and its operation;
- Appropriate arrangements and facilities for passengers;
- Provisions as to advertising the service;
- Duties in respect of the display of prices.

***Section 6: Other Tourism Enterprises.***

These would provide much-needed consumer protection measures for customers purchasing goods and services from other tourism service providers. It also addresses the issue of street traders in a positive manner.

**85. *Handicrafts and Souvenir Standards.***

**86. *Financial Guarantee.***

**87. *Crafts Authentication Scheme.***

**88. *Shopkeepers' Liability.***

**89. *Shipment of Goods.***

**90. *Peddlers' Permits.***

***Section 7: Dealing with Complaints***

**91. *Establishment of a Tourist Assistance Office.***

The MoTA should establish a Tourist Assistance Office. Although, theoretically, foreign tourists can seek legal redress through the courts, this is usually impractical, given the short period of their stay in Jordan. In addition to providing advice, this office could act as arbiter in disputes between tourists and suppliers of goods and services,

providing a prompt remedy. Its jurisdiction could be confined to small claims.

92. *Powers of Tourist Assistance Officers.*

93. *Tourist Complaints.*

#### **Chapter VII: Tour Guides**

94. *Power of MTA to issue Regulations.*

95. *Licensing Criteria.*

96. *Examinations.*

97. *Continuing Professional Development.*

98. *Exemptions.*

99. *Obligations of Tourist Guides.*

100. *Prohibition of Charging Commission.*

Of course tour guides are entitled to be paid their fee. This prohibition is against them attempting to charge extra or to corruptly accept bribes from souvenir shops etc. to bring their customers to them.

101. *Offences and Penalties.*

#### **Chapter IX: Tourism Education**

102. *Education, Training and Research.*

#### **Chapter X: International Cooperation**

103. *Relations with International Tourism Organisations.*

#### **Chapter XI: Miscellaneous**

104. *Facilitation and Safety and Security of Tourists.*

105. *Implementation.*

106. *Repeals and Interim Provisions.*

### **5. Tourism Development Corporation Law**

Consideration may be given to the enactment of a Tourism Development Law, providing a general legal framework in which public-private partnerships might be developed.

This provides an additional legislative measure to the general Tourism Law. The Government may prefer this approach as it separates the issue of the governance, functions and powers of the MoTA and JTB from the practicalities of tourism development and cooperation with the private sector.

This draft provides for the establishment of a tourism development corporation that could enter into joint ventures with other public entities and the private sector. It could be a national entity or it could be used to create named tourism development corporations to correspond with Tourism Development Areas.

*Articles:*

1. *Short Title.*
2. *Interpretation.*
3. *Establishment of the Corporation.*
4. *Incorporation.*
5. *General Purposes and Functions.*
6. *Powers of the Corporation.*
7. *Ancillary Power.*
8. *Appointment and Finance of the Board.*
9. *Committees.*
10. *Instruments Executed by the Corporation.*
11. *Power of the Minister to Give the Corporation Directions.*
12. *Schemes of Financial Assistance.*
13. *Provision of Sites and Premises for Tourist Industry.*
14. *Development and Improvement of the Environment.*
15. *Acquisition and Disposal of Land*
16. *Financial Duties*
17. *Finances of the Corporation*

18. *Annual Report*

19. *Implementation*

**6. Tourism Enterprises Licensing Law**

There is a good opportunity to create a modern, transparent and efficient licensing system for the whole tourism sector, making use of e-government mechanisms. A suggested outline framework for the necessary legislation is set out below.

*Articles:*

1. *Citation.*
2. *Definitions.*
3. *Establishment of the Tourism Licensing Committee*
4. *Functions of the Committee.*
5. *Meetings of the Committee.*
6. *Chief Licensing Officer to the Tourism Licensing Committee.*
7. *Declaration of Interest.*
8. *Members' Expenses.*
9. *Fees.*
10. *Types of Licences.*
11. *Application for Licence.*
12. *Publication of List of Applications.*
13. *Consideration of Applications.*
14. *Attendance at a Meeting of the Committee by the Applicant or his Representative.*
15. *Objections to the Grant, Renewal or Transfer of a Licence.*
16. *Grounds of Refusal of an Application.*
17. *Decisions of the Committee.*
18. *Canvassing.*
19. *Register of Decisions.*

20. *Issue of Licences.*
21. *Transfer of Licences.*
22. *Currency of Licences.*
23. *Suspension of a Licence.*
24. *Closure Orders.*
25. *Consent Required for Reconstruction of Hotels and Restaurants.*
26. *Structural Alterations to Hotels and Restaurants.*
27. *Power to Make Regulations.*
28. *Appeals.*
29. *Computation of Days.*
30. *Gender.*
31. *Amendments and Repeals.*
32. *Effective Date.*

## **7. Workplan**

The National Tourism Strategy Initiative sets out a Preliminary Assessment of Legal Issues. This contains the following Guiding Principles:

- Informed and Effective Tourism Master Planning, MoTA Leadership, Public-Public Cooperation and Strong Private Sector Input.
- Private-Public Investment in Tourism Marketing.
- Private-Public Investment in Tourism Infrastructure, Development and Maintenance.
- Enabling Investment Environment.
- Overall Product and Service Competitiveness.
- Promote Regional and SME Development.
- Promote Legal Employment and Human Resource Development.
- Commitment to Sustainable Tourism and Environmental Protection.

- Promote Inter-Industry Cooperation.
- Enhance Industry Self-Regulatory Capacity.
- High Tourism Safety and Service Standards.

To further these, there needs to be a fuller review of the general and specific legal and administrative context in which public and private entities engaged in travel and tourism operate. This is vital to ensure that the proposed regulatory framework arising from this project fits appropriately within the constitution, laws and customs of the Hashemite Kingdom of Jordan.

### **Phase 1: Initial Fact-Finding, Meetings and Agreement on Action Plan**

The aim of this phase was for the Consultant to familiarize himself with the National Tourism Strategy and the existing legal framework. It also enabled him to have initial meetings with colleagues from AMIR working on tourism-related projects, the Minister, representatives of the MoTA, JTB and the private sector. It also enabled him to have an introduction to the politico-legal framework in which the tourism sector (public and private) operates.

This Phase has been completed and has produced the Outputs under the Terms of Reference set out in Section B2 of this Report.

### **Phase 2: Redrafting the Tourism Law Framework**

The Consultant will prepare a set of new draft Tourism Laws based on the discussions held in Phase One. This draft will contain a set of alternative provisions and a detailed commentary to assist the MoTA and IBLaw in their review of its provisions. This will be forwarded to them before the Consultant's return to Jordan.

#### *Tasks:*

1. Prepare new Draft Laws with alternatives and commentary.
2. Review new Draft Laws and identify preferred options.
3. Prepare Report identifying the material to be gathered by IBLaw for Phase 3.
4. Gathering and Translation of the material required by Task 3. (Much of the material will have already been translated for other Reports).

#### *Responsibilities for Task:*

1. The Consultant. This should be completed before the start of Phase 3.

2. MoTA/IBLaw/BMI. This should be completed before the start of Phase 3.
3. The Consultant.

### **Phase 3: Gathering Information and Identifying the Legal Framework for Tourism in Jordan**

The aim of this phase is to set out the existing legal and administrative context in which public and private entities engaged in travel and tourism operate. This is vital to ensure that the Proposed Regulatory Framework arising from this project fits appropriately within the constitution, laws and customs of the Hashemite Kingdom of Jordan.

Three regional study tours will be provided for the Consultant and Steering Committee members to gather information and enhance understanding of the localized issues pertaining to the current regulatory framework. BMI will facilitate the provision of these study tours to be coordinated by a Jordanian tourism specialist.

#### *Tasks:*

1. Prepare an Interim Report on the Legal Framework for Tourism in Jordan addressing the following issues:
  - The system of courts, tribunals and other dispute mechanisms and the jurisdictional arrangements applicable to nationals and non-nationals.
  - The system of public and private law in order to identify the legal context in which the proposed institutional framework, administration and travel and tourism transactions will operate.
  - The system of landholding, tenure, land use, planning, zoning and heritage protection.
  - The laws and regulations governing natural resource management and environmental protection.
  - The legal and economic framework for assisting disadvantaged areas.
  - The socio-religious and customary framework for hospitality in Jordan and the rules governing religious monuments and heritage.
  - The system of appointments, contracts of employment and tenure of civil servants and/or other officers of public bodies with

responsibility for travel and tourism and those aspects of the general Labour Law which also apply to them.

- The Commercial Law governing private enterprise and, in particular, registration, licensing of enterprises and professions and the rules governing trade associations, competition etc.
  - Jordan's WTO-OMC, GATS, FTA with the USA, EU Trade Agreement commitments in respect of tourism services.
  - Rules governing currency, travellers cheques, money orders, credit cards and other items of money used by visitors to Jordan.
  - The system of insurance applicable to, and available for, travel and tourism businesses in respect of their public liability.
  - The rules governing entry and residence of non-nationals, passports, visas and repatriation.
  - The customs and excise provisions applicable to visitors to Jordan and rules governing prohibited items.
  - Safety and security of visitors and other travellers.
  - Rules governing cultural protection.
2. Regional Study Tours designed to present localized examples of tourism development implications, challenges and opportunities. This information gathering will be conducted in preparation for the Regional Workshops described in Phase 4.
  3. Meetings with relevant Ministries and agencies to verify/clarify the material gathered under Tasks 2(4) and 3(1).

*Responsibilities for Task:*

1. The Consultant.
2. Jordanian Tourism Specialist.
3. BMI/The Consultant/IBLaw.

**Phase 4: Regional and National Workshops**

These run concurrently with Phase 3 i.e. a workshop takes place in each region where the study tour has taken place.

The aim of this phase is to engage in extensive dialogue with as wide a spectrum of relevant and appropriate personnel as possible, consistent with good practice and the policies of private sector consultation and decentralization.

The three regional workshops will involve local representatives of the public and private sector involved in tourism development and heritage management.

The national workshop should comprise representatives of MoTA, other relevant Ministries, JTB, other public bodies and NGOs whose work affects or is affected by tourism development and the leaders of the professional tourism associations and other private sector representatives.

*Tasks:*

1. Preparation and Presentation of the 3 regional workshops.
2. Preparation of the National Workshop.
3. Preparation of Report on Principal Issues raised in the workshops conducted under Tasks 1 and 2.

*Responsibility for Task:*

1. BMI/the Consultant/Jordanian Tourism Specialist.
2. MoTA/BMI/the Consultant/Jordanian Tourism Specialist.
3. BMI/the Consultant.

**Phase 5: Preparation of Interim Report and Review**

The Consultant will prepare a draft report on the existing legal framework, the criteria for best practice and comprehensive proposals for change, if necessary.

BMI and IBLaw will review and consider the Interim Report internally and hold discussions with the relevant authorities and stakeholders.

*Tasks:*

1. Preparation of Interim Report.
2. Assessment of Interim Report.
3. Meetings to discuss the Report and seek feedback

*Responsibility for Task:*

1. The Consultant.
2. BMI/IBLaw.

3. BMI/IBLaw.

### **Phase 6: Inspection and Enforcement Issues-International Best Practice**

A National workshop will be held for officials of MoTA and the Steering Committee on approaches taken by three countries (e.g. Egypt, Singapore and Ireland) on maintaining quality standards, enforcement and inspection. At the workshop the revised 1<sup>st</sup> complete proposed Regulatory Framework will be made available for multi-stakeholder review and final comments.

#### *Tasks:*

1. Workshop (2 days) on maintaining quality standards, enforcement and inspection.
2. Report on Best Practice in quality standards, enforcement and inspection

#### *Responsibility for Task:*

1. MoTA/BMI/Jordanian Tourism Specialist/The Consultant.
2. The Consultant.

### **Phase 7: Round Table Presentations**

Present the draft Law at a Round Table, where representatives of the MoTA, other Ministries and public bodies and JTB will be present, in order to obtain comments and overall consensus on the draft.

#### *Tasks:*

1. Preparation of Outline of proposed Regulatory Framework
2. Translation of proposed Regulatory Framework
3. Mediation and Facilitation of Round Table.
4. Summary of Comments Received.

#### *Responsibility for Task:*

1. The Consultant.
2. BMI.
3. IBLaw.
4. The Consultant.

### **Phase 8: Submission of Draft Tourism Law and Final Report**

This will contain an annotated set of Draft Tourism Laws (in accordance with international standards and WTO-OMT recommendations) with the justification for, and details of, the Consultant's recommendations.

*Tasks:*

1. Preparation of Final Report.
2. Translation of Final Report.

*Responsibility for Task:*

1. The Consultant.
2. BMI.

### **F. Private Sector Management and Operation of Publicly-Owned Tourist Sites and Facilities**

Although outwith the remit of this Contract, the consultant was given an opportunity to review the RDW Report on the Feasibility of the Involvement of the Private Sector in the Management and Operation of Public Owned Tourism, Heritage and Historic sites in the Hashemite Kingdom of Jordan, Amman, Jordan, June 2004. The Consultant was invited to comment on the Report and these are his views:

Whilst the Report contains many good elements, particularly in the Chapters on Management, Operations and Marketing and on Public Private Partnerships, it has a number of shortcomings:

- The structure could be better.
- here are too many repetitions of material
- It does not seem like a "joined up" report: there are differences in style and depth.
- Poor use is made of the very good international examples cited.
- There is insufficient comment on how these mechanisms used abroad might fit into Jordanian Law
- Important legal material was not translated and references sometimes were inaccurate (e.g. to the list of laws in Appendix 7. I looked but could not find them there).
- The analysis of laws affecting tourism in Jordan was not sufficiently comprehensive.

- Alternative modes of monitoring private sector performance were not sufficiently explored.
- The provisions of the draft agreements/contracts appear to be written solely with the MoTA's needs in mind and are therefore unattractive to private investors.
- The definitions are not sufficiently comprehensive (e.g. no definition of "site use right") and overlap with the "interpretation Article".
- Some obligations are stated as if they are "rights" e.g. to maintain the site.
- The duration of the agreements is unnecessarily short.
- The rescission provisions need to be made more mutual and strengthened.
- Arbitrations should be removed.
- Some clauses do not, of themselves, make sense e.g. the obligation to pay service charges.
- The references to the schedules are sometimes inconsistent.
- There is an odd requirement, on termination, for the site operator to "remove all improvements" that it made. Surely these should remain and the operator should be compensated for them.
- Article 4.1 (a) may make the tender unattractive to businesses.
- The effect of Article 5.2 is to make the operator pay for MoTA inspections etc.
- References are made to the applicability of Jordanian Law but not to the jurisdiction of the Jordanian courts.
- Most of the provisions need reordering, rephrasing and strengthening.

## G. Appendices

### 1. The Tourism Law 1988

We, Al – Husain the First, King of the Hashemite Kingdom of Jordan and upon what has been decided by the Parliament and Senators;

We ratify the following Law and order that it shall be issued and added to the Laws of State:

#### **Law No. 20 For 1988**

#### **“ Tourism Law”**

##### *Article 1*

This Law shall be cited as “ The Tourism Law of 1988” and shall come into force as of its publishing date in the Official Gazette.

##### *Article 2*

The following words and expressions used in this Law shall have the meanings defined hereunder, unless the context indicates otherwise:

“ Ministry”: The Ministry of Tourism

“ Minister”: The Minister of Tourism

“ Board “: The Higher Board of Tourism formed pursuant to this Law

“ General Secretary”: The General Secretary of the Ministry.

“ Tourist Occupations”: For the purposes of this Law, it includes:

A- Travel and Tourism offices and companies.

B- Specialized Tourist Transportation.

C- Hotels, Pensions, Motels, Tourist companies.

D- Tour Guides services.

E- The production and trading of Antiquities, Holy Land products, crafts, traditional and popular industries

F- Tourist Class Restaurants and Rest-Houses, all tourist cities of amusement and entertainment.

G- Any other activity that the Board considers to be a tourist occupation and declares it in the Official Gazette.

##### *Article 3*

The Ministry aims at encouraging, developing, and improving tourism and its resources in order to increase its contribution to the national income and the spreading of understanding among people.

To achieve this, it carries the responsibility for the following tasks and missions in co-operation and co- ordination with the concerned parties:

A. Preserving and developing tourist sites, for the purposes of this Law, tourist sites includes the lands, buildings, mineral water resorts, and sites which the Council of Ministers determines, on the advice of the Minister, and declared in the Official Gazette.

B. Licensing and classifying tourist occupations in conformity with the status of this Law and the regulations issued by virtue of it.

- C. Enhancing the Tourist related procedures by the cooperation of the concerned parties and tourist organisations inside and outside the Kingdom and providing them with means of comfort and care.
- D. Setting inclusive and comprehensive tourist publicity programmes and implementing and supervising them. In addition to marketing and promoting Tourism throughout the kingdom through cooperation with the concerned parties.
- E. Encouraging, organizing, and sponsoring domestic tourism and the tourist investment and organizing tourist programmes aiming at introducing the citizens to the distinguishing features of the kingdom.
- F. Providing the human resources and the technical potentials required by the tourist occupations in order to improve the performance and efficiency of these occupations by cooperating with the local and international establishments, organisations, and societies of concern.
- G. Setting the studies and researches concerned with the development and improvement of Tourist occupations.
- H. To carry on any other tourism related tasks decided by the Board.

**Article 4**

The Ministry has the right to establish colleges and institutions to teach tourism related arts; this in pursuance of the standing status and requirements of the Higher Education Law and to organize managerial, financial, and other matters relating to these colleges and institutions in accordance with this Law and other standing Laws.

**Article 5**

A- A Board is formed and called” the Higher Board of Tourism” headed by the Minister and comprising the following members:

1. The Minister of Interior
2. The Minister of Trade and Industry
3. The Minister of Finance
4. The Minister of Health
5. The Minister of Planning
6. The Minister of Culture
7. Head of Royal Jordanian Airlines
8. Head of Region of Aqaba Authority
9. Director General of the Social Security Foundation
10. The General Secretary
11. Three experienced members from the private sector engaged in tourist occupations appointed by the Minister for a two-year period, which is renewable.

B- Meetings of the Board take place as the Minister deems necessary. Any meeting held by the Board is considered to be legal if it was attended by an absolute majority of its members and it makes its decisions unanimously or by the majority votes of those in attendance.

C- The general secretary is to be the speaker of the board and held the responsibility for organize its meetings, setting outlines, writing down its decision and following the implementation of these decisions.

**Article 6**

The board is responsible for the following tasks:

- A. Stating general policy of tourism in the kingdom and supervises its implementation.
- B. Proposal for draft and regulations relating to tourism
- C. Proposal for making tourist agreements with the international tourist organisations, societies, and countries.
- D. Establishing tourist and Hotel training centres and setting up its programmes and the instructions for running it.
- E. Setting up bases for licence of tourist occupations.
- F. Identifying prices and charges of tourist services and adjusting it whenever necessary.
- G. Setting up bases necessary for marketing and promoting of tourism.
- H. Any other tourism related tasks the minister decides to show before the board.

**Article 7**

A. Committee in the ministry is formed and called “ Tourism committee” the general secretary to be at the head of it with the membership of:

1. An interior ministry representative.
2. Supplies ministry representative.

3. Health ministry representative
4. One of the ministry's employees assigned by the minister to be titles as a member and a reporter.
5. Two persons representing the tourist occupations assigned by the minister for two years period.

All members mentioned above (from item 1 – 4) are assigned by the authorized minister from the first, degree rate at his ministry.

B- The committee gathers by the summons of its head member whenever needed. Any meeting held by the committee is considered to be legal if it was attended by the absolute majority of members and it issues its advice unanimously or by majority of attendants' votes.

**Article 8**

The committee gives its advice to the minister regarding the following issues:

- A- Licensing and classification of tourism occupations according to the decided upon bases.
- B- Looking into the occupational violations committees by the tourism practitioners and taking the necessary decisions and procedures against them.
- C- Any other tourism, related matter proposed by the minister to be analysed.

**Article 9**

No natural or juristic person is to practice or own any tourist occupation unless he gets a licence from the minister in accordance with this Law and the regulations issued in pursuance of it.

**Article 10**

- A- Tourist occupation licence application is submitted to the minister through forms specially made for this purpose after showing it to the committee which then provides its recommendations to the minister who the right to accept or reject the application depending on whether it fits into the required conditions including the approval of the concerned official and municipal parties.
- B- The licence is issued by the name of the tourist occupation owner whether was of natural or juristic personality after paying the stated dues. It is set to be valid for one year and can be renewed in accordance with its issuing regulations and procedures.

**Article 11**

According to the committee's advice, the minister can do the following:

- A- To halt the licence of any tourist occupation for a period he states in order to clear violations otherwise be subjected to cancel to close down any shop or office if not doing so during that period.
- B- Close down any shop or office practicing tourist occupation without having licence in pursuance of this Law.
- C- Cancelling License for any tourist occupation and rejecting its renewal if the practitioner or the owner was convicted with a felony or a crime that breaches the moral values and the honour of the public.

**Article 12**

For the sake of applying the status of this Law; the person entitled to practice or own any tourist occupation is considered to be violating his commitment and duties at any of the following cases – whether these commitments, duties, and services were of the commonplace matters:

- A- If he failed to carry out his duties or perform his services toward his clients or other tourist occupation owners.
- B- If he entered an illegal competition with others or caused any damage to the national economy.
- C- If he commits any act causing damage to the national tourism interest or its reputation. This includes acting in a way contradicting with the general moral values and rule.

**Article 13**

- A- Local and foreigner hotel management companies commits itself to implement including the following:
  - 1. Training Jordanian human force over managerial, hotel and tourist of various levels.
  - 2. Implementing marketing and promotion tourist programmes for the kingdom using the dedicated money that the kingdom set aside in its annual budget for these purposes through the cooperation and coordination with the ministry.
- B- Training and marketing programmes stated in item 2 of paragraph (A) of this Law is submitted to the early approval of the board which has the right to add any adjustment to these programmes.
- C- The marketing, promotion, and training programmes doesn't reduce the income submitted to tax unless the minister ratifies that it was spent for these purposes.

**Article 14**

- A- One or more tourist occupation association is to be established in the kingdom and for each its own legal personality.
- B- By the use of a rule issued in pursuance of this Law, It identifies the certain status and procedures of the way to form the board of directors of the association and how to be elected and the membership of the general committee and tasks of each. It also sets the rules for practicing, the code of ethics and the other managerial and financial matters of the association and identifying charges of affiliate and subscription. It is allowed to establish a union for tourist associations having its own legal personality and submitted to the status at this paragraph.
- C- The association holds responsibility for taking care of its members interests and works on accomplishing its objectives including developing tourism and activating it by cooperating with the minister.

It is compulsory for the tourist occupations owners to affiliate to the association and it is not allowed for any person to practice any tourist occupation unless he affiliates to the certain association in regard.

- D- All other existing tourist associations and societies in kingdom until issuing this Law are considered to be established according to it and have to conform its conditions with its status during a period doesn't exceed 31/12/1988. then proposing the regulations which were established in pursuance of it to the council of ministers to issue it.

**Article 15**

- A- It is to be punished with jail for a period no less than one month and no more than six months as with a fee not less than 300 dinar and not more than 1000 dinar each following:
  - 1. Anyone owned or practiced a tourist occupation before having licence in accordance with the status of this Law.
  - 2. Practiced or managed any tourist occupation in a way bearing an illegal competition, or damaging to the reputation of the national tourism, industries, tourist occupations, or the national economy.
- B- To take an action of public domain according to the status of this article by the general authority in response to the minister's request.

**Article 16**

Council of ministers has the right to issue the necessary regulations to implement status of this Law including what is related to the following matters:

- A- Classifying and licensing tourist occupations, and identifying its charges and means of collecting it the international guaranties that must be posed and identifying prices of tourist services and its rates.
- B- Identifying entering fees for the tourist locations and their exemptions.
- C- Qualifications of the tourist guides, and conditions procedures, and charges of their licence.

**Article 17**

Tourism Law No. (10) for 1968 and whatever Adjustments were made upon it are all cancelled. Through it must be continued to work with the regulations issued according to it as if they were issued according to this Law till they are cancelled or substituted by other.

**Article 18**

The Prime Minister and Ministers are responsible for implementing the status of this Law.

10 / March / 1988

Al Husain Ibn Talal

**2. Tourism Activation Board Regulations**

We Al-Hasan Ibn Talal, Regent of His Majesty the King, Under Article 31 of the Constitution and Pursuant to the Decision of the Council of Ministers on 25 October 1997 Decree to Set up the Following Regulations:

Regulations No. 62 for the Year 1997

Tourism Activation Board Regulations

Issued Under Paragraph (A) of Article (14) of Tourism Law No. 20 for the Year 1988

**Article 1**

These regulations shall be called, the Tourism Activation Board Regulations for the Year 1997 and shall be put in effect as of the date of publication in the Official Gazette.

**Article 2**

The following words shall, wherever they appear in these regulations, have the meanings designated against each below unless otherwise indicated by the context:

The Ministry:	Ministry of Tourism and Antiquities.
The Minister:	Minister of Tourism and Antiquities.
The Board:	Tourism Activation Board.
The Board of Directors:	Board of Directors of the Board.
The Chairman:	Chairman of the Board of Directors.
The Director:	Director General of the Board.

**Article 3**

- A. A board called the Tourism Activation Board shall be established in the Kingdom and it shall enjoy a juristic personality with administrative and financial independence. In this capacity, it may own moveable and non-moveable funds required to achieve its objectives and aims and shall sue and be sued, and it may appoint any lawyer to defend it in the judicial and legal procedures related to it and it shall be represented by the chairman of its board of directors before third parties and all other agencies.
  
- B. The board headquarters shall be in the city of Amman. It may establish other branches in all parts of the kingdom and abroad by a decision from the board of directors.

**Article 4**

In order to achieve its objectives, the board shall carry out the following tasks:

- A. Activate and promote tourism, promulgate tourism awareness and cooperate in this regard with the Ministry and sectors working in the tourism professions.
  
- B. Prepare tourism publications, films, booklets and posters; produce, publish, distribute and sell all types of tourism media and publish magazines and tourism professional periodicals with the approval of the competent official agencies.
  
- C. Prepare studies and tourism marketing and statistical researches and implement them either by direct funding or by international aid and aid from non-government organisations in this field in accordance with the legislation applied in the Kingdom.
  
- D. Participate with the Ministry, the official public organisations and the tourism sector to secure the required funding to carry out marketing and promotion campaigns approved in accordance with the legislation applied in the Kingdom.
  
- E. Propose special projects and operations to improve and develop the tourism sites in the Kingdom
  
- F. Participate in training and qualifying the workforce in the tourism sector.

- G. Establish a national information centre to collect and analyse statistical information and indicators related to the tourism sector, locally, regionally and internationally.
- H. Participate in the tourism-related functions and activities including the tourism weeks and festivals and participate in the occasions and national, regional and international conferences in a manner that serves the board's objectives and aims related thereto.

***Article 5***

The board consists of permanent members and elected members who are considered working members. In addition, there are the following supporting members:

A- The Permanent Members:

1. The Ministry represented by the Minister or whomever he authorizes.
2. The Jordanian Exports Development Organisation represented by its Director General or a member of its board of directors authorized by the board of directors.
3. The Royal Jordanian Airlines represented by its Executive Officer or whomever he authorizes.
4. The Jordanian Hotel Association represented by its chairman.
5. The Tourism and Travel Agents Association represented by its chairman.
6. Specialized tourism transport companies, each shall be represented by its chairman of the board of directors or the director general authorized by its board of directors, (managing director).
7. The other national airline companies, each shall be represented by its chairman of the board of directors or the director general authorized by its board of directors (managing director).
8. The general stock companies, the holding companies and other organisations involved directly in tourism and have a direct effect on the tourism industry as well as on its promotion and development and which the board of directors decides to include in the board as working members. Also the board of directors shall determine the rate of financial contributions to the board and each shall be represented by its chairman of the board and the director general authorized by its board of directors (managing director).

B- The Elected Members

1. Hotels classified as five, four and three star hotels. Each shall be represented by the board of directors of the hotel owner company, its general manager or the general manager of the hotel authorized by the company's board of directors.
2. The tourism companies and offices working in the field of attracting incoming tourism with at least five thousand (5,000) tourism nights a year for each of these companies and offices per the Ministry's records as of the end of the year directly preceding the meeting of the general assembly. All these companies and offices shall be represented by the company's general manager or the office manager.

C- The Supporting Members

1. The Tourist Restaurant Association, the Tourist Guide Association and the Oriental Artecraft Stores Association. Each of these associations shall be represented by its chairman.

2. Any other person with experience in the tourism field who the board of directors agrees to accept as a supporting member to the board.
3. The supporting members may make use of the services provided by the board to its members. They have the right to attend its meetings and participate in discussing the issues raised in the meeting without having the right to nominate or vote on its decisions.

***Article 6***

The membership application shall be submitted by the working and supporting members to the board in accordance with the form prepared for this purpose with the required documents attached to it. The board of directors shall issue its decision in regard to the application within a period not exceeding thirty days as of the date of submitting the application which satisfies the conditions.

***Article 7***

- A. The board's general assembly shall hold one regular annual meeting at the time scheduled by the board of directors by an invitation extended by the chairman or his deputy in case of his absence during the first three months of the year to consider the issues listed in the agenda prepared by the board of directors. The invitation to hold the meeting shall be extended at least fifteen days before the scheduled date. Both the financial and administrative reports shall be enclosed with it. The invitation shall be published in two local journals at least, and it shall be posted on the bulletin board at the board headquarters. The Ministry shall be informed of the meeting and time scheduled for holding it.
- B. The general assembly meetings shall be chaired by the chairman of the board of directors or his deputy in case of his absence. If both are absent the meeting will be chaired by the oldest member.

***Article 8***

- A. Withstanding the provisions of Article (9) of these regulations, the meeting of the board's general assembly shall be considered legal with the attendance of most of the members who paid their fees and obligations seven days before the date of the meeting provided that the chairman of the board of directors or his deputy is among them. If this quorum is not met, the meeting shall be postponed for a period of no more than fifteen days. The invitation for the second meeting shall be posted on the bulletin board at the board headquarters. The second meeting shall be legal regardless of the number of attending members.
- B. The general assembly shall take its decisions on the issues and subjects referred to it in any regular meeting it holds unanimously or by the majority of the votes of the attendees. If there is a tie in the votes, the side on which the meeting chairman has voted shall prevail.

***Article 9***

If the legal quorum for the meeting of the general assembly held to elect a new board of directors is not satisfied, the existing board of directors shall continue to run the board affairs pending the election of a new board of directors in accordance with these regulations.

**Article 10**

- A. The general assembly shall be called to hold a non-regular meeting by a decision of the board of directors or pursuant to an application submitted to it by at least 25% of the working members who have paid their annual fees and obligations due from them to the board, provided that the board of directors' decision or the members' request to call the general assembly to hold a meeting shall contain the specific issues and topics which will be presented. No other issues shall be presented or discussed at the meeting.
- B. The non-regular meeting of the general assembly shall be subject to the provisions and procedures applied to its regular meeting under the provisions of these regulations. The following conditions shall be satisfied:
  - 1. The non-regular meeting shall be considered cancelled if the legal quorum is not satisfied.
  - 2. The general assembly shall issue its decisions in this case with the approval of two thirds of the attending members.

**Article 11**

The general assembly shall at its regular annual meeting assume the following tasks and authorities.

- A. Discuss the board of directors' annual report for the previous year ended and approve the board's operating plan for the new year.
- B. Endorse the final accounts for the year ended and approve the estimated draft budget for the coming year.
- C. Select a certified auditor for the board for one year and determine his fees.
- D. Elect the directors of the board in accordance with the provisions of these regulations.
- E. Any other matters the board of directors wishes to present to the general assembly.

**Article 12**

The board of directors shall be formed under the chairmanship of the Minister and the following as members.

- A. The Permanent Members:
  - 1. The Royal Jordanian.
  - 2. The Jordanian Exports Development Organisation.
  - 3. The Jordanian Hotel Association.
  - 4. One of the specialized tourism transport companies, alternately amongst the companies for two years each in accordance with the Minister's decision.
  - 5. One of the other national airline companies, alternately amongst the companies for two years each in accordance with the Minister's decision.
  - 6. The director general of the board.
- B. The Elected Members.

The membership period of each shall be for two years:

  - 1. Three members representing the hotels classified as five star or four-star hotels.

2. Three members representing the incoming tourism companies and tourism offices with at least ten thousand (10,000) tourism nights a year for each of these companies and offices as per the Ministry's records.
- C. The board of directors shall elect by secret ballot a deputy chairman from its members who represent the private sector in a session that it holds with the legal quorum unanimously or by majority vote of the attendees.
- D. The permanent members shall be represented at the board of directors by their representations in the general assembly.

**Article 13**

The board of directors' candidate applicant from the elected members shall be:

- A. Of Jordanian nationality.
- B. Not below twenty-five years old.
- C. Must be of good conduct and behaviour, not indicted in a crime or offence that hurts the honour or public morality.

**Article 14**

- A. Submitting membership applications to the board of directors shall begin, in accordance with the provisions of these regulations, thirty days before the date scheduled for the regular meeting of the general assembly in which the board of directors is elected and shall end seven days before the scheduled date.
- B. The application shall be submitted to the person authorized in writing by the board of directors. The names of the candidates shall be posted on the bulletin board at the board's headquarters after checking the applications to make sure that they comply with the provisions and conditions provided for in these regulations.

**Article 15**

- A. The general assembly shall, in its meeting when the board members are elected, elect a committee to be called the Election Supervision Committee that consists of three non-candidate members of the general assembly and the committee shall elect its chairman from its members.
- B. The committee shall carry out the procedures of electing the board members, distribute the ballot cards to the members, collect them, sort the votes, announce the election results and prepare minutes of meeting. In the course of conducting its operations it may solicit the assistance of subcommittee or more each one composed of the non-candidate general assembly members to assist it in sorting the votes under its direct supervision.
- C. Election of the directors of the board is carried out through secret ballots stamped with the Board stamp and signed by the Chairman of the Election Supervision Committee. Any ballot that does not satisfy these conditions shall be considered invalid.
- D. The committee shall settle the objections submitted to it during elections whether they are against the ballot cards or against any other election procedures. It may reject or accept any ballot if it is

- found that there are reasons justifying that. The committee shall issue its decisions unanimously or by majority.
- E. If the number of the names of candidates indicated in the ballot exceeds the number required to be elected, this number shall be taken as per the serial order of the names starting from the top of the card. The names in excess shall be disregarded and the ballot indicting a fewer names than the number required shall be considered valid as to the names stated therein.
  - F. Illegible ballots or ballots that contain any unethical words or expressions or which indicate the personality of the voting member shall be disregarded.
  - G. The ballots shall be kept at the Board and they shall be destroyed by a decision of the board of directors after the elapse of one year of the date of conducting the election.
  - H. The board of directors shall send a copy of the general assembly minutes of meeting in which it was elected to the Ministry.

**Article 16**

The procedures and other matters related to the general assembly meetings and the board of directors' election shall be determined by the instructions to be issued by the board of directors for this purpose.

**Article 17**

- A. The candidate who gets the highest votes shall win the membership to the board of directors. If there is a tie in the votes obtained by two candidates or more, one of them shall be chosen by lot carried out by the Election Committee.
- B. If only six candidates apply for the board membership, they shall win uncontested. If no sufficient number of candidates is realized, the general assembly may during the session complete this number by electing members to the board of directors from its members in accordance with the provisions of these regulations.

**Article 18**

The board of directors shall meet once every three months at least and whenever required by an invitation extended by its chairman or his deputy in case of his absence. The meeting shall be considered legally valid with the attendance of the majority of members provided that the chairman or his deputy in case of his absence is one of them. Its decisions shall be issued unanimously or by majority vote of the attendees. If there is a tie in the vote, the side on which the meeting chairman voted shall prevail.

**Article 19**

The board of directors shall assume the following tasks and responsibilities:

- A. Prepare the annual report and final accounts for the ended year.
- B. Prepare the estimated draft budget for the new year and submit it to the general assembly.
- C. Set up the general policy for tourism marketing and promotion, the coordination channels and the board's annual and periodic programmes.
- D. Look into any matters related to tourism development and the tourism strategy approved by the official agencies and cooperate with the Ministry in preparing the studies and general statistics.
- E. Enter into contracts with others in tourism matters and affairs.

- F. Approve incentives granted to the general assembly members and endorse facilities required to participate in the international tourism occasions.
- G. Form the necessary committees to assist it in its operations and determine the tasks of such committees and submit their reports to it.
- H. Issue instructions to implement the provisions of these regulations including those related to administrative and financial affairs and matters related to employees' appointment as well as all matters related to them.
- I. Appoint the director general of the board and delegates to him the authorities and responsibilities required to manage the board.

***Article 20***

The elected member shall lose his membership to the board of directors in any of the following cases:

- A. If he fails to attend three consecutive meetings of the board of directors without a legitimate excuse accepted by the board of directors.
- B. If a definitive decision was issued against him indicting him of a crime or violation that hurts the honour or public morality.
- C. If the licence of the office, company or agency he represents is cancelled for any reason.
- D. If his resignation from the board of directors is accepted.

***Article 21***

The member shall lose his membership to the board in any of the following cases:

- A. If he loses any of the conditions of membership to the board including loss of the capacity which made him a member.
- B. Relinquishment of membership
- C. Elapse, dissolution or bankruptcy of the juristic person.
- D. Dismissal by a justified decision by the board of directors if he commits anything that may inflict moral or material damage to the board.
- E. If he exploits his position or work at the board to achieve a personal benefit.

**Article 22**

- A. Withstanding the provisions of paragraph (B) of this article, if the position of any elected member to the board of directors becomes vacant, the candidate who got the highest votes after the candidates who succeeded in the election shall be asked to become a member to the board of directors for the remaining period. If such a candidate is not available, the board of directors shall appoint one of the general assembly members who satisfy the conditions to become member to the board of directors provided that the members appointed in the board of directors in this manner shall not exceed three members.
- B. If four or more positions of elected members to the board of directors become vacant, the chairman of the general assembly shall call for a meeting within a period not exceeding fifteen days to elect members in place of those members for the remaining period in accordance with the provisions of these regulations.

**Article 23**

- A. The board shall collect the following fees from the member:
  - 1. 500 dinars board membership fee for one time.
  - 2. 1,000 dinars annual membership fee for the working member.
  - 3. 500 dinars annual membership fee for the supporting member.
- B. The annual membership fee mentioned in paragraph (1) of this article shall be paid during the month of February of each year. A portion of a year shall be considered a full year and the fee shall be collected in full for the year.

**Article 24**

The fiscal year of the board shall begin on January first of the year and shall end on December thirty first of the same year.

**Article 25**

The board financial resources consist of the following:

- A. Contributions of the government of the Hashemite Kingdom of Jordan allocated to the board in the state general budget.
- B. Membership fees and annual membership fees in accordance with these regulations.
- C. Contributions of the hotels classified as three, four or five star hotels at a rate of half percent (0.5%) of ten percent (10%) which it collects for services. The Jordanian Hotel Association shall collect these contributions and transmit them to the board monthly
- D. Contributions of Royal Jordanian or any organisation that may replace it at fifty thousand (50,000) dinars annually.
- E. Contributions of the specialized tourism transport companies at twenty-five thousand (25,000) dinars each company annually.
- F. Contributions of the other national airline companies at twenty-five (25,000) thousand (25,000) dinars each company annually.
- G. Contributions in kind such as travel tickets accommodation nights offered by the member and other organisations and companies.
- H. Financial resources generated by the board as a result of conducting marketing and promotion activities and the profit

generated from selling tourism posters, maps, publications and other promotion means produced by the board and any other activity.

- I. Aids and donations granted by the Arab and foreign governments and local, regional and international organisations provided that the Council of Ministers' approval be taken on the aids and donations if they come from a non-Jordanian source.
- J. Royalty of the board funds and interests due thereto.
- K. Any contributions approved in accordance with the provisions of these regulations.

***Article 26***

If any member fails to pay any of the fees, contributions and obligations due from him to the board under the provisions of these regulations during the period determined by the Minister, his licence to practice the tourism vocation shall be cancelled by the decision of the Minister.

***Article 27***

The current board's movable and non-movable funds shall be transferred to the founding board under these regulations, and it shall bear its obligations. The Minister shall call the general assembly to elect the directors of the new board of directors in accordance with the provisions of these regulations within sixty days as of the date of publication in the official gazette.

***Article 28***

If the board is dissolved for any reason, its movable and non-movable funds shall be transferred to the treasury of the Hashemite Kingdom of Jordan

**25 October 1997**

Al-Hasan ibn Talal

**3. Regulations Amendment to the Tourism Activation Board Regulations for the Year 1998**

We Al-Hasan Ibn Talal, His Majesty the King's Regent, Under Article 31 of the Constitution and Pursuant to the Decision of the Council of Ministers on 28 July 1998 Decree to Set up the Following Regulations:

Regulations No. 64 for the Year 1998  
Regulations Amendment to the Tourism  
Activation Board Regulations

***Article 1***

These regulations shall be called, (Regulations Amendment to the Tourism Activation Board Regulations for the Year 1998) and shall be read together with Regulations No. (62) for the Year 1997, referred to hereunder by the original regulations as one set of regulations and shall be put in effect as of the date of publication in the Official Gazette.

***Article 2***

Cancel the text of paragraph (C) of Article (25) of the original regulations and replace it with the following text:

C - Contributions of the hotels classified as three, four or five star hotels at five percent (5%) of the total service charge collected by them – which is determined by the Tourism Committee in accordance with the provisions of the Tourism Law. These hotels shall transmit such contributions to the Jordanian Hotel Association for transmittal to the board monthly.

Al Hasan Ibn Talal

28 July 1998

**4. Tourism and Travel Offices and Companies Code 1996**

We, Al-Hassan Ibn Talal, the Regent; Pursuant to Article 31 of the Constitution, and based on the decision of the Council of Ministers on 3/2/1996; do hereby order the following Code enacted:

Code No. 14 of 1996

Tourism and Travel Offices and Companies Code

Issued Pursuant to Article 16 of Tourism Law No. 20 of 1988

***Article 1***

This Code shall be called “Tourism and Travel Offices and Companies Code of 1996” and shall come into force on the date of its publication in the Official Gazette.

***Article 2***

The following words, wherever they appear in this Code, shall, unless the context indicates otherwise, have the meanings hereby assigned to them:

The Ministry:	Ministry of Tourism and Antiquities.
The Minister:	Minister of Tourism and Antiquities.
Committee:	Tourism Activation Board.

The Board of Directors: Tourism Committee formed pursuant to Tourism Law currently in effect.  
Office: Tourism and travel company or office

### ***Article 3***

An Office shall offer all or any of the following services:

- A. Sale, cashing or exchange of all types of travel tickets, and act as a broker for transportation companies and establishments to obtain tickets for tourists and travellers.
- B. Organize individual or group tourists' trips within the Kingdom or abroad.
- C. Make hotel reservations within the Kingdom or abroad.
- D. Act as broker for car rental companies and exclusive tourists' transportation companies to offer their services to tourists and travellers in lieu of exchange coupons.
- E. Sale of tickets to various festivals and tourists' events.
- F. Receive compensations in foreign currency, as permitted by laws and regulations currently in force, from tourists and travellers for tourism-related services rendered.
- G. Insure tourists and travellers and their luggage with insurance companies operating in the Kingdom, in accordance with laws and regulations currently in effect.
- H. Arrange private excursions by concluding specific agreements with participants.

### ***Article 4***

Provisions for licensing an Office are as follows:

- A. Applicant for an Office licence must be a Jordanian citizen.
- B. The registered capital of the applicant shall be no less than fifty thousand (50,000) dinars.
- C. The applicant shall present an annual bank bond in the amount of twenty five thousand (25,000) dinars, in the name of the Minister, in addition to the applicant's job, and, if the Office intends to organize excursion programmes, the applicant shall then present an additional annual bank bond in the amount of twenty five thousand (25,000) dinars. The Minister may reconsider the amount

of said bonds, whenever there is such need, whereby the text of the bond and amendments thereto shall be determined by the Minister.

- D. The applicant for the licence shall provide a certificate of good conduct and non-conviction of a felony or a misdemeanour relating to moral turpitude or public indecency, or to fraudulent or nonfeasance-caused bankruptcy.
- E. To include the name of the would-be Office manager in the application.

### ***Article 5***

The Office shall have a full time manager who possesses a certificate that proves he has passed the required examination, in accordance with instructions issued pursuant to this Code, in addition to meeting the following conditions:

- A. Be a Jordanian citizen.
- B. Present a certificate of good conduct and non-conviction of a felony or a misdemeanour relating to moral turpitude or public indecency.
- C. Have, as a minimum work experience in the field of tourism and travel:
  - 1- Four (4) years if he has earned a bachelor's degree.
  - 2- Six (6) years if he earned a community college diploma.
  - 3- Eight (8) years if he has only earned the General Secondary Education Certificate.
- D. Be fluent in at least one foreign language, and has a certificate from an accredited institution to prove it.
- E. Have a signed work contract for at least one year with the Office owner.

### ***Article 6***

An Office must fulfil the following requirements:

- A. Must have a title deed or a current lease agreement whereby the use of the leased premises is designated for tourism and travel business.
- B. The area of the premises must be no less than forty five (45) meters square, and the Office should have the required risk prevention and public safety measures, as well as a WC. Offices that have been licensed prior to the issuance of this Code shall be exempt from this requirement.

### **Article 7**

- A. The Minister, based on the Committee's referral, shall issue to the applicant a conditional approval for a period of thirty (30) days, renewable once to an equal period, to enable the applicant to satisfy the requirements for obtaining the licence pursuant to the provisions of this Code.
- B. When the applicant has satisfied the required provisions within the specified period in Paragraph A of this Article, approval will then be effective as of the date of its issuance. If, however, the applicant fails to satisfy said requirements and provisions, the conditional approval shall then be deemed legally cancelled upon the expiration of its term.

### **Article 8**

License renewal applications shall be filed during the month of January of each year. Whoever fails to renew the licence during said period shall have to pay an additional sum amounting to 50% of licensing fees, and if the licence is not renewed by the end of February of each year, the licensee shall not be permitted to practice the profession, and, in addition to that, the office shall be closed down if the licence is not renewed by the end of March of the same year.

### **Article 9**

- A. The following fees shall be collected upon the issuance or renewal of a licence:
  - 1- Licensing of a main office, JD100 annually.
  - 2- Licensing of a branch, JD50 annually.
  - 3- Replacement for a lost or damaged licence fee, JD20 annually.
- B. For purposes of collecting the annual fee from first-time licensee, the licensing period of a year or part thereof shall constitute a full year.

### **Article 10**

An Office shall comply with the following:

- A. Employ no less than five (5) Jordanians, manager included, provided that at least two of the reservations, sales and marketing employees have passed training courses in their respective fields, that are held by accredited institutions, and that they are fluent in at least one foreign language and have certificates from accredited institutions to prove it.

- B. That no Office employee or worker has been convicted of a felony or a misdemeanour pertaining to moral turpitude or public indecency, and that all employees and workers are of good repute and conduct.
- C. Provide the Ministry with insurance policies against risks and accidents to its groups of tourists as well as civil liability due thereto, for the duration of the trip. For the purposes of this Code, the term “trip program” shall mean transportation, lodging, food, receiving and ushering out participants, among other tourism-related services.
- D. Report to the Ministry, at least 15 days in advance, the start of a tourists’ trip program that the Office plans to organize, along with the latter’s commitment to adhere to said program, under the penalty of confiscation of the bond, or part thereof, provided for in this Code, and the payment of any demands that may arise out of its failure to maintain said program. Reports of programmes shall include the following:
  - 1- Starting date and areas included in the program.
  - 2- The means of transporting tourists, which should conform to exclusive tourists’ transportation code.
  - 3- Names of hotels and their classification.
  - 4- Services included in the trip and their costs.
  - 5- Provisions of cancellation of the trip.
  - 6- Written contract between the Office and passengers.
  - 7- Indication of the type of agreement concluded between the Office and travel agents in the destination country with whom the Office made arrangements.

### ***Article 11***

Office owner, employees and workers undertake to maintain the work ethics of the profession, and not to engage in any business that is contrary to the nature of the profession, and to comply with the Ministry’s instructions concerning dealing with others, in addition to the following:

- A. Maintain books, records and receipts that are necessary to run the business.
- B. Provide the Ministry with all information pertaining to the Office, including a report containing full details concerning individual and group trips that the Office organizes.
- C. Not to publish, distribute or display any brochure, program, guide, map, picture or publication related to tourism advertisement prior

to having the Ministry verify the accuracy of the information contained therein.

- D. Not to make changes to the Office commercial name or ownership, or any other aspect related to the function of the Office, its employees and location prior to informing the Ministry of the intended changes.
- E. Display the Office licence in a conspicuous place in the Office.

### ***Article 12***

Foreign tourism and travel offices may not conduct their tourists' programmes in the Kingdom except through an Office licensed pursuant to the provisions of this Code.

### ***Article 13***

An Office may open branches in the kingdom for which it shall be responsible, according to the following conditions:

- A. The Office must be a member of the Commission for Promoting Tourism.
- B. The branch, if in another city, shall have a manager.
- C. The branch shall have the basic requirements needed to conduct its functions according to the instructions to be determined by the Minister.

### ***Article 14***

The Minister, or a deputy of his, may monitor and inspect any Office to ensure the latter's adherence to the provisions of this Code and instructions issued pursuant thereto.

### ***Article 15***

Anyone found in violation of this Code shall be subject to the penalties provided for in the Tourism Law currently in effect.

### ***Article 16***

The Minister, based on the Committee's referral, may issue the necessary instructions for the implementation of the provisions of this Code.

### ***Article 17***

"Tourism and Travel Offices" code No. 46 of 1966 and amendments thereto shall be rescinded.

2/2/1996

Al-Hassan Ibn Talal

## **5. Tourist Restaurants and Resthouses Code 1997**

We, Al-Hussein I, King of the Hashemite Kingdom of Jordan; Pursuant to Article 31 of the Constitution, and based on the decision of the Council of Ministers on 17/1/1997; do hereby order the following Code enacted:

Code No. 6 of 1997

### **TOURISTS' RESTAURANTS AND REST HOUSES CODE** Issued Pursuant to Article 16 of Tourism Law No. 20 of 1988

#### ***Article 1***

This Code shall be called "Tourists' Restaurants and Rest Houses Code of 1997" and shall come into force on the date of its publication in the Official Gazette.

#### ***Article 2***

The following words, wherever they appear in this Code, shall, unless the context indicates otherwise, have the meanings hereby assigned to them:

"Ministry": the Ministry of Tourism and Antiquities.

"Minister": the Minister of Tourism and Antiquities.

"Committee": The Tourism Committee formed pursuant to the Tourism Law currently in effect.

#### ***Article 3***

For the purposes of this Code, the term "tourists' restaurant" shall mean a facility that is classified, pursuant to the Ministry's instructions, as for-tourists, which offers food and beverages service, and may offer entertainment, sports and music services to its patrons, within or outside the restaurant for a service fee. This definition shall include:

- A. Tourists' rest houses.
- B. Tourists' and amusement parks.
- C. Nightclubs.
- D. Cafeterias.

#### ***Article 4***

The following conditions must be satisfied for licensing a tourists' restaurant:

- A. The registered capital of a restaurant shall be no less than thirty thousand (30,000) dinars.
- B. The owner, general manager and all restaurant employees shall be persons of good repute and conduct, not convicted of a felony or a misdemeanour relating to moral turpitude and public indecency, or one relating to fraudulent or nonfeasance-caused bankruptcy.
- C. It should meet the technical standards provided for in this Code and instructions issued pursuant thereto.

### ***Article 5***

The management of a tourists' restaurant must comply with the following:

- A. Put up a sign, in both Arabic and English, that shows the name and classification category of the restaurant.
- B. Display food and beverages menus in a conspicuous place in the entrance of the restaurant and present menus to patrons that show food items served and their prices.
- C. Comply with the provisions of public health law and regulations issued pursuant thereto.
- D. Provide each patron with a bill that clearly indicates all food and beverage items served and their prices.
- E. Not to serve alcoholic beverages to those who are younger than 18 years of age.
- F. Ensure that restaurant employees comply with the dress code, each according to his area of specialty.
- G. Not to advertise, by any means, or to list in any brochure issued by the restaurant, any non-factual information as far as its classification, and quality of food and services offered by it.
- H. Report to the Ministry any change to the commercial name of the restaurant or of ownership.
- I. Not to undertake any alterations to its facilities and structure prior to first obtaining the Minister's approval.

### ***Article 6***

- A. Tourists' restaurants shall be classified under five (5) categories, and in the following order:

- Five-star restaurant
- Four-star restaurant
- Three-star restaurant
- Two-star restaurant
- One-star restaurant

B. The Minister, upon the Committee's referral, may lay down detailed provisions relating to the specifications of tourists' restaurants, facilities that they must provide, services they offer and the standards of their services.

#### **Article 7**

- A. Licenses of tourists' restaurants, upon the referral of the Committee, shall be issued under the designated category by a decision of the Minister. Restaurants designated for-tourists prior to the issuance of this Code, shall be deemed as classified pursuant thereto.
- B. The Committee may consult with the Association of Owners of Tourists' Restaurants when the former undertakes the process of classification.
- C. The Minister, upon the Committee's referral, may reconsider the classification of a tourists' restaurant whenever the need arises.

#### **Article 8**

- A. The following annual fees shall be collected from tourists' restaurants, and moreover, for purposes of collecting the annual fee from first-time licensees, the licensing period of a year or part thereof shall constitute a full year.
- 1- JD300 the licensing fee of tourists' and amusement parks.
  - 2- JD100 the licensing fee of five-star category
  - 3- JD80 the licensing fee of four-star category
  - 4- JD60 the licensing fee of three-star category
  - 5- JD50 the licensing fee of two-star category
  - 6- JD40 the licensing fee of one-star category
  - 7- JD600 the licensing fee of nightclubs
  - 8- JD40 the licensing fee for cafeterias
- B. JD5 fee shall be collected for issuing a replacement for a lost or damaged licence.

#### **Article 9**

The annual fee shall be paid no later than the thirty first (31) of January of each year, and whoever fails to do so on time, shall have to pay an additional sum equivalent to

50% of the annual licensing fee, and shall not be allowed to engage in the trade if the licence has not been renewed by the thirty first (31) of March of each year, and the Ministry may close down the restaurant until the time fees and due fines are paid.

***Article 10***

The Minister, upon the Committee's referral, may approve the licensing of a tourists' restaurant to serve alcoholic beverages and hire musical bands.

***Article 11***

- A. Authorities in charge at the Ministry may conduct inspections of tourists' restaurants to ensure their compliance with the provisions of this Code and instructions issued pursuant thereto.
- B. When inspection proves that the standards of service at a tourists' restaurants have deteriorated in such a way that they are incongruent with its classification category, the Committee may reconsider this classification after bringing the matter to the attention of restaurant management, serve the latter with a warning notice and granting it a delay period to be determined by the Minister.

***Article 12***

The Minister, upon the Committee's referral, may issue the necessary instructions for the implementation of the provisions of this Code provided that such do not contravene nor conflict with the provisions.

***Article 13***

Whoever is found to be in violation of the provisions of this Code or instructions issued pursuant thereto shall be subject to the penalties provided for by the Tourism Law currently in force.

7/1/1997

Al-Hussein Ibn Talal

**6. Hotels and Tourists' Facilities Code 1997**

We, Al-Hussein I, King of the Hashemite Kingdom of Jordan; Pursuant to Article 31 of the Constitution, and based on the decision of the Council of Ministers on 17/1/1997; do hereby order the following Code enacted:

Code No. 7 of 1997  
HOTELS AND TOURISTS' FACILITIES CODE  
Issued Pursuant to Article 16 of Tourism Law No. 20 of 1988

### *Article 1*

This Code shall be called “Hotels and Tourists’ Facilities Code of 1997” and shall come into force on the date of its publication in the Official Gazette.

### *Article 2*

The following words, wherever they appear in this Code, shall, unless the context indicates otherwise, have the meanings hereby assigned to them:

“Ministry”: the Ministry of Tourism and Antiquities.

“Minister”: the Minister of Tourism and Antiquities.

“Committee”: The Tourism Committee formed pursuant to the Tourism Law currently in effect.

### *Article 3*

For the purposes of this Code, the term “hotel facility” shall include hotel, resort, hotel suite, inn, motel, tourists’ camp, floating hotels that offer all or any hotel services, or any other facilities that the Minister may determine to be hotel facilities for the purposes of this Code.

### *Article 4*

- A. An application for licensing a hotel facility must be submitted to the Ministry, and the applicant must present a registration receipt or a lease contract for an existing structure or for one to be built, and must present building plans approved according to the rules by the authorities in charge, to be adopted by the Ministry.
- B. The Minister, upon the Committee’s referral, shall issue a conditional approval for a two years term to enable the applicant to satisfy the provisions and necessary requirements, provided that the applicant must commence building or setting up the facility during a period not to exceed two (2) years, although the Minister may extend said approval to another term of equal length.

### *Article 5*

- A. Hotels and resorts shall be classified under one of the following categories:
  - Five stars
  - Four stars
  - Three stars
  - Two stars
  - One star

- Not for tourists
- B. Hotel suites, inns, motels, tourists' camps and any other hotel facility shall be classified under one of the following categories:
  - Category A
  - Category B
  - Category C

**Article 6**

- A. The Minister shall serve notice to the owner of the facility informing him of the classification decision. The latter may file an objection to a classification decision within fifteen (15) days of the issuance of the decision.
- B. Hotel facility licences shall be issued, upon the Committee's referral, by the Minister's decision.

**Article 7**

- A. The following annual fees and charges shall be collected upon the issuance or renewal of licences:
  - 1- JD500 licensing fee of a five-star hotel.
  - 2- JD400 licensing fee of a four-star hotel.
  - 3- JD300 licensing fee of a three-star hotel.
  - 4- JD200 licensing fee of a two-star hotel.
  - 5- JD100 licensing fee of a one-star hotel.
  - 6- JD50 licensing fee of a not-for-tourists hotel.
  - 7- Fees of licensing inns, motels, hotel suites, tourists camps are as follows:
    - JD300 for Category A
    - JD200 for category B
    - JD100 for category C
  - 8- JD20 fee for replacement of lost or damaged licence, or for updating licence details.
- B. For purposes of collecting the annual fee from first-time licensees, the licensing period of a year or part thereof shall constitute a full year.

**Article 8**

A licence shall be renewed without incurring a fine until the end of February, and in the event of failure to renew the licence by that date, an additional sum must be paid amounting to 5% of the licensing fee for each month or part thereof, in which renewal is delayed.

**Article 9**

The management of a hotel facility shall comply with the following:

- A. To have all hotel facilities and attachments under one management.
- B. To display a sign, in both Arabic and English, that indicates the facility's name and classification category.
- C. To display said sign in a conspicuous place.
- D. To advertise, in both Arabic and English, in all banquet and reception halls, lobbies and rooms the prices it charges for any service or meal, and to comply with these prices.
- E. To provide each guest with a bill and receipt stamped with the hotel's seal, dated and signed by the person in charge, in which are listed the services rendered and the cost of each service.
- F. Not to serve alcoholic beverages to those who are younger than 18 years of age.
- G. To comply with the provisions of public health law and regulations issued pursuant thereto, and not to employ any person in preparing or serving food and beverages except after first obtaining a health certificate that indicates said person is free of diseases, in accordance with legislation currently in effect.
- H. To provide means of public safety and risk prevention measures, and to keep these on hand and maintain them according to the rules of civil defence.
- I. To have safety deposit boxes available to guests, and to advertise that fact in the lobby in both Arabic and English.
- J. To require employees to observe the dress code each according to the nature of his work.
- K. Not to make alterations or changes to its attachments or facilities except after first securing the Minister's approval.
- L. To supply all information and statistics requested by the Ministry.
- M. Supply the Ministry with management, hotel and tourism-related training programmes, as well as marketing and promotional programmes, and the details of their implementation.

### ***Article 10***

The Minister, upon the Committee's referral, may approve serving alcoholic beverages and the hiring of musical bands at hotel facilities.

### ***Article 11***

- A. The Minister, or a deputy of his, may monitor and inspect any hotel facility to ensure the latter's compliance with the provisions of the law, this Code and instructions issued pursuant thereto.
- B. When the standards of service of a hotel facility is incongruent with its classification category, the Committee shall reconsider this classification after serving the facility with a warning notice and granting a delay period to be decided by the Minister.
- C. The Minister may order a hotel and tourists' facility to change its name if it is shown that the existing name could be misleading.

***Article 12***

A hotel facility may not conduct tourists' programmes in the Kingdom except through a tourists office, licensed pursuant to the provisions of Tourism and Travel Offices code currently in effect.

***Article 13***

The Minister, upon the Committee's referral, may issue the necessary instructions for the implementation of the provisions of this Code, including the following instructions:

- A. To ensure the proper functioning of the hotel establishment, maintenance of the trade's work ethics and proper practices, and coordinate the establishment's relations with both other establishments and other tourism-related trades.
- B. To lay down the provisions and specifications that a hotel facility should have, the services it offers and the standards of said services.

***Article 14***

Anyone found in violation of the provisions of this Code and instructions issued pursuant thereto shall be subject to the penalties provided for by the Tourism Law currently in effect.

***Article 15***

"Hotel Establishments" code No. 49 of 1966 and amendments thereto shall be rescinded.

7/1/1997

*Al-Hussein Ibn Talal*

## 7. Tourist Guides' Code 1998

We, Al-Hassan Ibn Talal, The Regent; Pursuant to Article 31 of the Constitution, and based on the decision of the Council of Ministers on 23/5/1998; do hereby order the following Code enacted:

Code No. 34 of 1998

Tourists' Guides Code  
Issued pursuant to Article 16 of Tourism Law No. 20 of 1988

### *Article 1*

This Code shall be called "Tourists' Guides Code of 1998" and shall come into force on the date of its publication in the Official Gazette.

### *Article 2*

The following words, wherever they appear in this Code, shall, unless the context indicates otherwise, have the meanings hereby assigned to them:

The Ministry:	Ministry of Tourism and Antiquities.
The Minister:	Minister of Tourism and Antiquities.
Committee:	Tourism Activation Board.
Tourists' Guide:	Person who engages in the business of guiding tourists, accompanies them to various tourists and archaeological sites in the Kingdom, and supplies them with information about said sites

### *Article 3*

- A. An applicant for a licence to engage in the profession of guiding tourists must satisfy the following conditions:
- 1- Be a Jordanian citizen, twenty years of age or older.
  - 2- Be not convicted of a felony or a misdemeanour relating to moral turpitude or public indecency.
  - 3- Have earned a bachelor's degree or an equivalent thereof, or, at a minimum, a diploma in tourists guide services from an accredited college.
  - 4- Be able to pass examinations in the foreign language in which the applicant is fluent, and in knowledge of tourism-related information.
  - 5- Be able to pass the examination to be held at the conclusion of the study course that the Ministry organizes.
  - 6- Intends to engage in the profession full time, and agrees not to hold any other job or engage in any other profession, including trade and brokering

- B. The Minister, based on a referral by the Committee, shall grant the applicant a permit for a limited term during which the applicant must attend the course that the Ministry holds in coordination with pertinent authorities, and must pass the assigned examinations.
- C. The Minister, based on a referral by the Committee, may exempt any person from the provisions of clause 3 of Paragraph A of this Article.

***Article 4***

Licenses given to tourists' guides shall be classified under the following two categories:

- A. General Guide whose area of practice covers the entire Kingdom.
- B. Site Guide whose area of practice shall be limited to a specific tourists' site.

***Article 5***

- A. The Ministry shall collect the following charges and annual fees:
  - 1- JD40 for a General Tourists' Guide licence fee.
  - 2- JD20 for a Site Tourists' Guide licence fee.
  - 3- JD5 for updating licence information, or for issuing a replacement for lost or damaged licence.
- B. For purposes of collecting the annual fee from first-time licensee, the licensing period of a year or part thereof shall constitute a full year.

***Article 6***

- A. Applications for renewal of licences must be filed during the month of January of each year. A person who fails to renew his licence during the prescribed period shall have to pay an additional charge amounting to 50% of the annual licensing fee, and if the licence is not renewed come the end of February of that year, said person shall not be permitted to practice the profession until such time the licence is renewed within six (6) months. If, within the aforementioned six months, a person fails to renew his licence, it will be deemed legally cancelled.
- B. A guide's licence may not be renewed if the Committee finds that a guide failed to satisfy any of the provisions included in this Code.

***Article 7***

- A. A record book containing the names of guides who are engaged in the profession and another of non-practicing guides shall be set up at the Ministry.

- B. The name of a guide who has been banned, pursuant to the provisions of Tourism Law currently in force, from practicing the profession, shall be removed from the record by the Minister's decision and will remain so until such time that the cause for the ban is no longer valid.
- C. By submitting a justifiable request to the Minister, a guide may have his name removed from the record book of practicing guides and have it added to the record book of non-practicing guides, provided that the duration of the non-practice period does not exceed two years. A guide will have to pay the fees prescribed pursuant to this Code when he petitions for re-registration and must successfully pass the required courses and examinations.

### ***Article 8***

The Minister, based on Tourism Committee's referral, may determine the wages of guides.

### ***Article 9***

- A. A guide must not be negligent in performing his duties and services, and must not fail to maintain his obligations towards tourists and persons engaged in other tourism-related professions. Specifically, a guide must adhere to the following:
  - 1- Maintaining ethical conduct and exhibiting true citizenship so as to reflect a positive image of Jordan.
  - 2- Wearing the designated uniform.
  - 3- Displaying his licence badge on his chest during working hours, and allowing tourists, and Ministry officials in charge or any other official authorized by the Minister in writing, to inspect it for monitoring purposes.
  - 4- Surrendering his licence to the Ministry upon its cancellation or suspension.
  - 5- Performing the tasks entrusted to him while accompanying groups of tourists, such as providing explanations and complete and accurate information as well as adhering to the schedules of tourists' programmes.
- B. A Guide shall not engage in the following:
  - 1- Taking advantage of his profession for immoral or commercial purposes, or misrepresenting himself in a way so as to mislead guests and tourists.
  - 2- Accompanying tourists or guests at tourists and archaeological sites except upon their request.
  - 3- Performing his guiding duties while driving a car.
  - 4- Demanding commission or reward from persons engaged in other commercial and tourism-related businesses, among others.

- 5- Demanding tips from tourists' groups and guests.
  - 6- Drinking alcoholic beverages during working hours.
- C. The Minister, or a person authorized in writing by him, may monitor and inspect the performance of guides to ensure their compliance with the provisions of this Article.

### ***Article 10***

A guide, according to instructions to be issued by the Minister for the purpose, shall be required to:

- A. Attend tourism-related courses held to ensure that the guide possesses the proper knowledge of tourism-related, antiquities and general interest subjects.
- B. Take examinations to ensure that the guide is maintaining his language fluency, or, when he requests to be transferred to another location, requests classification in another category, or wishes to add another language.

### ***Article 11***

- A. Tourists' guides shall be exempt from paying entrance fees to tourists' sites.
- B. Travel and tourism offices shall hire tourists' guides to accompany groups of tourists in the Kingdom, and shall conclude separate agreements per each mission, whereby the obligations of both parties are stated in detail in said agreements.

### ***Article 12***

Any person found in violation of the provisions of this Code or the instructions issued pursuant thereto, shall be subject to the penalties provided for in the Tourism Law currently in force.

### ***Article 13***

The Minister, based on the Committee's referral, may issue the necessary instructions for the implementation of the provisions of this Code, including the following:

- A. Determine university specializations required for granting licences to engage in the profession.
- B. Determine the bases of foreign language, and tourism and antiquities-related examinations as well as the examinations at the end of courses that the Ministry holds for tourists' guides.

- C. Determine the functions of tourists' guides as well as monitoring and inspection procedures.
- D. Determine any other conditions that a guide must satisfy.

#### **Article 14**

“Tourists’ Guides and Supervision Code” No. 48 of 1966 and amendments thereto shall be rescinded, provided that licensed guides, pursuant to said code, shall be considered licensed pursuant to the provisions of this Code as long as they undertake to adjust their status, concerning the provision of the full time practice of the profession, within a period not to exceed ninety (90) days as of the date the provisions of this Code come into force.

23/5/1998

*Al-Hassan Ibn Talal*

#### **8. Appendix: Persons Interviewed**

***H.E. Dr. Alia Bouran – Minister of Tourism and Antiquities***

***Stephen P Wade – Program Director, AMIR Program.***

***Ibrahim Osta - BMI Component Leader, AMIR Program.***

***Lina Omar - BMI Specialist, AMIR Program***

***Nisreen Haram, Randa Qunsol and Raghida Helou – International Business Legal Associates (IBLA)***

Abdelmajeed T Shamlawl – e-Government Specialist/ICTI Component, AMIR

Ahmad El-Bashiti, Executive Director, JITOA

Alaa’ Bataineh – Secretary General / Ministry of Transport

Bassam N Kawash, President and CEO, Jordan Restaurant Association

Bishara Sawalha - Chairman/ Jordan Society for Tour and Travel Agents

Brad Fusco, Manager, Investment Promotion Subcomponent, Private Sector Policy Initiative, AMIR

Frank Malkhoun, AMIR Consultant

Habeeb F Habash, Assistant Secretary General, Ministry of Tourism and Antiquities

Jan Tomczyk, AMIR Consultant

Jim Phillips, AMIR Consultant

Joe Ruddy, AMIR Consultant

Khalid N Bseiso, Speciality Restaurants Manager, Four Seasons Hotel, Amman

Marwan Khoury – JTB Managing Director

Matt McNulty – AMIR tourism consultant

Michael Krstic, AMIR Consultant

Michel Nazzal – Chairman / Jordan Hotel Association

Mohammed Al Manha, Technical Support and Quality Control Officer, Jordan Restaurant Association

Munir Nassar – Chairman/ Jordan Inbound Tour Operators Association

Mustafa Kiwan – Executive Director/ Jordan Tour Guides Association  
Randa Qunsol, BMI Specialist, AMIR  
Razan Fasheh, e-Initiative Specialist, ICTI, AMIR  
Rula Soussou, BMI, AMIR  
Samer I Asfour, General Manager, Amman World Trade Centre  
Samer Majali – CEO/ Royal Jordanian Airlines  
Suhair Khatib, Deputy Component Leader, Micro enterprise Initiative, AMIR  
Terri Kristalsky, Team Leader, Micro enterprise Initiative, AMIR  
Tony Seaton, BMI, AMIR Consultant  
Usama Mufti – Chairman/ Jordan Tourist Busses Company (a monopoly of 3 merged companies)