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Abstract

This report is prepared by IBLAW as a part of the assignment to improve the awareness of government officials to the commitments imposed upon Jordan further the WTO accession. The report provides general explanation for the WTO and for the main principles applied under the WTO. Then the report examines thirty nine governmental agencies, in Jordan, which are mainly affected by the accession to the WTO. The report highlights commitments imposed upon each agency separately.

Abbreviations and Acronyms

AMIR	Achievement of Market-Friendly Initiatives and Results Program
WTO	World Trade Organization
GATT	The General Agreement on Tariffs and Trade
GATS	The General Agreement on Trade in Services
TRIMS	The Agreement on Trade-Related Investment Measures
S&D	Special and Differential Treatment
MFN	Most-favoured-nation
GSP	Generalized System of Preferences
TBT	Technical Barriers to Trade
GSD	General Supplies Department
IPRs	Intellectual Property Rights
JIB	Jordan Investment Board
AMO	Agriculture Marketing Organization

Table of Contents

<i>UT</i> Data Page	ii
<i>UT</i> Abstract.....	iii
<i>UT</i> Abbreviations and Acronyms	iv
<i>UT</i> Executive Summary	1
<i>UT</i> 1. <i>UT</i> General Report.....	2
<i>UT</i> 2. <i>UT</i> Specific Reports.....	8
<i>UT</i> a. <i>UT</i> Central Bank of Jordan	8
<i>UT</i> b. <i>UT</i> Jordan Food and Drug Administration	19
<i>UT</i> c. <i>UT</i> Ministry of Culture- National Library	23
<i>UT</i> d. <i>UT</i> Ministry of Housing and Public Works	31
<i>UT</i> e. <i>UT</i> Ministry of Social Development.....	40
<i>UT</i> f. <i>UT</i> The Audiovisuals Commission.....	48
<i>UT</i> g. <i>UT</i> Municipalities Report	55
<i>UT</i> h. <i>UT</i> Customs Department Report	58
<i>UT</i> i. <i>UT</i> Jordan Investment Board	67
<i>UT</i> j. <i>UT</i> General Command of the Armed Forces of Jordan	77
<i>UT</i> k. <i>UT</i> Ministry of Industry and Trade.....	80
<i>UT</i> l. <i>UT</i> Ministry of Health	96
<i>UT</i> m. <i>UT</i> Sectoral Ministries and Professional Associations Report.....	106
<i>UT</i> n. <i>UT</i> Parliament Report	109
<i>UT</i> o. <i>UT</i> Muhafez Report	112
<i>UT</i> p. <i>UT</i> Ministry of Foreign Affairs of Jordan	113
<i>UT</i> q. <i>UT</i> Council of Ministers	115
<i>UT</i> r. <i>UT</i> Insurance Regulatory Commission of Jordan.....	125
<i>UT</i> s. <i>UT</i> Jordan Institute of Standards and Metrology.....	131
<i>UT</i> t. <i>UT</i> Jordan Securities Commission.....	135
<i>UT</i> u. <i>UT</i> Ministry of Agriculture.....	143
<i>UT</i> v. <i>UT</i> Ministry of Education	154
<i>UT</i> w. <i>UT</i> Ministry of Energy and Mineral resources	160
<i>UT</i> x. <i>UT</i> Ministry of Labour of Jordan.....	164
<i>UT</i> y. <i>UT</i> Ministry of Information and Communications Technology.....	172
<i>UT</i> z. <i>UT</i> Ministry of Tourism.....	183
<i>UT</i> aa. <i>UT</i> Ministry of Transport of Jordan.....	192

<i>UTbb.</i>	<i>UT</i> Ministry of Water and Irrigation of Jordan	201
<i>UTcc.</i>	<i>UT</i> Natural Resources Authority of Jordan	204
<i>UTdd.</i>	<i>UT</i> Special Economic Zones Directorate	209
<i>UTee.</i>	<i>UT</i> Telecommunications Regulatory Commission of Jordan.....	212
<i>UTff.</i>	<i>UT</i> The Port Authority of Jordan.....	223
<i>UTgg.</i>	<i>UT</i> Civil Aviation Authority.....	231
<i>UThh.</i>	<i>UT</i> Ministry of Interior, Public Security Department (PSD).....	238
<i>UTii.</i>	<i>UT</i> Public Corporation for the Protection of the Environment.....	249
<i>UTjj.</i>	<i>UT</i> Lands & Survey Department	252
<i>UTkk.</i>	<i>UT</i> Ministry of Finance	258
<i>UTll.</i>	<i>UT</i> Government Procurement Departments (The General Department of Supplies and Public Tender Department.....	265

Executive Summary

Jordan acceded to the WTO in April 2000. This requires Jordan to comply with 16 different trade-related agreements as well as commitments on goods and services market access, and other commitments set out in its accession Working Party Report. The Foreign Trade Policy Directorate has worked hard to inform different government agencies of their WTO obligations. Most agencies merely have to be aware of national treatment and most favored nation principles when setting new policy. However, agencies such as the Ministry of Agriculture have had to revise their plant and animal health procedures at the border and establish a plant variety protection office as well as be involved in ongoing negotiations.

This report is prepared by IBLAW as part of the task to improve the awareness of government officials of the commitments made by the Government of Jordan to WTO members.

The first part (General Report) of the report represents a general explanation to the WTO. At the outset, it provides a general introduction to the WTO. Then it describes Jordan's accession to the WTO. Then, because the WTO agreements are lengthy and complex, it presents an explanation in how to understand the WTO agreements and the main principles under such agreements.

The second part (Specific Reports) of the report has dealt with the various agencies which have been affected directly by Jordan's accession to the WTO. This part consists of thirty nine reports. Each report identifies the commitments imposed upon a specific agency after accession to the WTO.

1. General Report

General Introduction for the WTO

The World Trade Organization (WTO) began life on 1 January 1995, but its trading system is half century older. Since 1948, the General Agreement on Tariffs and Trade (GATT) had provided the rules for the system. It did not take long for the General Agreement to give birth to an unofficial international organization, also known informally as GATT. Over the years GATT evolved through several rounds of negotiations.

The last and largest GATT round was the Uruguay Round which lasted from 1986 to 1994 and led to the WTO's creation. Whereas GATT had dealt mainly with trade in goods, the WTO agreements create new rules for dealing with trade in services, relevant aspects of intellectual property, dispute settlement, and trade policy reviews.

The WTO is run by its member governments; it has 148 members. All major decisions are made by the membership as a whole, either by ministers (who meet at least once every two years in a Ministerial Meeting) or by their ambassadors or delegates (who meet regularly in Geneva in the General Council). The WTO is a member-driven, consensus-based organization. Thus, the WTO rules constitute an end result for negotiations among members. Despite the difficulty of reaching decisions by consensus among some 148 members, the main advantage is that decisions made this way are more acceptable to all members.

The WTO's overriding purpose is to help trade flow as freely as possible – so long as there are no undesirable side-effects. That means removing obstacles; ensuring that individuals, companies and governments know what the trade rules are around the world and giving them the confidence that there will be no sudden change of policy. The WTO will achieve these aims by playing different roles. These roles could be categorized as follows:

- Administering trade agreements
- Acting as a forum for trade negotiations
- Settling trade disputes
- Reviewing national trade policies
- Assisting developing countries in trade policy issues, through technical assistance and training programmes
- Cooperating with other international organizations

WTO members operate a non-discriminatory trading system that spells out their rights and their obligations. Each country receives guarantees that its exports will be treated fairly and consistently in other countries' markets. Each promises to do the same for imports into its own market. The system also gives developing countries some flexibility in implementing their commitments.

Thus, the major fields, which are dealt with under the WTO's agreements, may be categorized as follows:

I. Goods

It all began with trade in goods. From 1947 to 1994, GATT was the forum for negotiating lower customs duty rates and other trade barriers; the text of the General Agreement spelt out important rules, particularly non-discrimination.

Since 1995, the updated GATT has become the WTO's umbrella agreement for trade in goods. It has annexes dealing with specific sectors such as agriculture and textiles, and with specific issues such as state trading, product standards, subsidies and actions taken against dumping.

II. Services

Banks, insurance firms, telecommunications companies, tour operators, hotel chains and transport companies looking to do business abroad can now enjoy the same principles of freer and fairer trade that originally only applied to trade in goods.

These principles appear in the new General Agreement on Trade in Services (GATS). WTO members have also made individual commitments under GATS stating which of their services sectors they are willing to open to foreign competition, and how accessible those markets are.

III. Intellectual property

The WTO's intellectual property agreement amounts to rules for trade and investment in ideas and creativity. The rules state how copyrights, patents, trademarks, geographical names used to identify products, industrial designs, integrated circuit layout-designs and undisclosed information such as trade secrets — “intellectual property” — should be protected when trade is involved.

IV. Dispute settlement

The WTO's procedure for resolving trade disagreements under the Dispute Settlement Understanding is vital for enforcing the rules and therefore for ensuring that trade flows smoothly. Countries bring disputes to the WTO if they think their rights under the agreements are being infringed. Judgments by specially-appointed independent experts are based on interpretations of the agreements and individual countries' commitments.

The system encourages countries to settle their differences through consultation. Failing that, they can follow a carefully mapped out, stage-by-stage procedure that includes the possibility of a ruling by a panel of experts, and the chance to appeal the ruling on legal grounds. Confidence in the system is borne out by the number of cases brought to the WTO — around 300 cases in eight years compared to the 300 disputes dealt with during the entire life of GATT (1947–94).

V. Policy review

The Trade Policy Review Mechanism's purpose is to improve transparency, to create a greater understanding of the policies that countries are adopting, and to assess their impact.

Jordan's Accession to the WTO

Any state or customs territory having full autonomy in the conduct of its trade policies may become a member (“accede to”) the WTO, but all WTO members must agree on the terms. This is done through the establishment of a working party of WTO members and through a process of negotiations.

In January 1994, Jordan applied for accession to the General Agreement on Tariffs and Trade (GATT 1947), which became an application for membership in the World Trade Organization (WTO) after the establishment of the WTO in January 1995 in the Uruguay Round.

In 1996, Jordan submitted to the WTO its Memorandum on Foreign Trade Regime. Then, Jordan received various inquiries, on its economic policies and foreign trade regime, from the WTO Members. From 1996-1998, Jordan participated in three working party meetings.

The WTO's General Council concluded negotiations with Jordan and approved the accession package on 17 December 1999 and on the 11th of April 2000, Jordan has become the 136th member of the WTO. Jordan's accession was testimony to the fact that the accession procedures under the WTO do work rapidly and smoothly given the determination of the acceding government to push ahead and the cooperation and flexibility of Members.

Jordan had to do extensive reforms in its legal and economic systems in order to meet the WTO requirements. Therefore, amendments were made to some existing laws and a number of new laws were *enacted* especially in the field of intellectual property rights. Amendments were made to the Trademarks and Copyrights laws, and new laws on Patents, Models and Industrial Design, Integrated Circuits, Trade Secrets and Unfair Competition, Geographical Indications, and Plant Variety Protection were enacted. In other areas, new laws were also enacted to replace existing laws that were not in conformity with WTO requirements such as the Law on Standards and Metrology; amendments were made to the Customs Law, General Sales Tax Law, and the Law on Unifying Fees and Taxes. New regulations on Safeguard of National Production, Non-Jordanian Investments, and Consular Fees were also enacted. Further, Jordan made commitments to provide liberal access to foreign suppliers and investors on a wide range of services sectors. Tariff lines were lowered and bound to rates ranging from 0% to 30%, by the year 2010, the maximum bound rate for certain tariff lines will be 20%.

Jordan participated in three working party meetings on its accession during the year 1999 and engaged in intensive bilateral negotiations with 16 WTO member countries as well. On December 17 of the same year, The WTO General Council approved Jordan's Protocol of Accession, and the Jordanian Parliament ratified the Law on Jordan's Accession to the WTO on February 24, 2000. Jordan became officially the 136 WTO Member on April 11, 2000

Understanding the WTO Agreements

The WTO Agreements are lengthy and complex because they are legal texts covering a wide range of activities. They deal with: agriculture, textiles and clothing, investment (TRIMS), government purchases, industrial standards and

product safety, food sanitation regulations, intellectual property, and much more. However, a number of simple and fundamental principles run throughout all of these documents. These principles are the foundation of the multilateral trading system.

In order to facilitate the understanding of the WTO Agreements, we are going to **categorize** these fundamental principles into five main categories

I. Trade without discrimination

1. Most-favoured-nation (MFN): treating other people equally

Under the WTO agreements, countries cannot normally discriminate between their trading partners. If a country grants another member a special treatment (such as a lower customs duty rate for one of their products), then this country has to do the same for all other WTO members.

However, the MFN clause has some exceptions. For instance, the clause does not prohibit the establishment **of a customs union or free-trade area (Article XXIV of GATT 94) between trading partners.**

"Enabling Clause", on differential and more favourable treatment, reciprocity and fuller participation of developing countries is also an exemption from the MFN clause. Members may accord differential and more favourable treatment to developing countries, without according such treatment to other Members.

2. National treatment: Treating foreigners and locals equally

Imported and locally-produced goods should be treated equally after the foreign goods have entered the market. This principle of "national treatment" (giving others the same treatment as one's own nationals) is also found in all the three main WTO agreements (Article 3 of GATT, Article 17 of GATS and Article 3 of TRIPS), although once again the principle is handled slightly differently in each of these.

National treatment only applies once a product, service or item of intellectual property has entered the market

The principle of national treatment does not apply to procurement by government agencies of products purchased for governmental purposes (Article III.8 (a) GATT). These are purchases by governments not with a view to commercial resale (government procurement as such is covered by the plurilateral Agreement on Government procurement).

II. Freer trade: gradually, through negotiation

Lowering trade barriers is one of the most obvious means of encouraging trade. The barriers concerned include customs duties (or tariffs) and measures such as import bans or quotas that restrict quantities selectively.

III. Predictability: through binding and transparency

The multilateral trading system is an attempt by governments to make the business environment stable and predictable.

In the WTO, when countries agree to open their markets for goods or services, they “bind” their commitments. For goods, these bindings amount to ceilings on customs tariff rates. A country can change its bindings, but only after negotiating with its trading partners, which could mean compensating them for loss of trade.

Many WTO agreements require governments to **publish** their policies and practices within the country or by notifying the WTO. The regular surveillance of national trade policies through the Trade Policy Review Mechanism provides a further means of encouraging transparency both domestically and at the multilateral level.

IV. Encouraging development and economic reform

Over three quarters of WTO members are developing countries and countries in transition to market economies. WTO agreements have a major concept called Special and Differential Treatment (S&D), which is in respect of how to facilitate growth and development under the trade rules for developing and least developing countries (LDC).

Main Legal Provisions for Special and Differential Treatment

THE MARRAKECH AGREEMENT ESTABLISHING THE WTO

The Marrakech Agreement Establishing the World Trade Organization (also known as “the WTO Agreement”) specifies that international trade should benefit the economic development of developing and least-developed countries.

Enabling Clause for developing countries (goods)

The Enabling Clause, officially called the “Decision on Differential and More Favourable Treatment, Reciprocity and Fuller Participation of Developing Countries”, was adopted under GATT in 1979 and enables developed members to give differential and more favorable treatment to developing countries. Its main objective is to facilitate and promote the trade of developing country Members and least-developed country Members.

However, this more favourable treatment must not be designed to raise trade barriers, and must not unduly impede the reduction or elimination of customs tariffs or other restrictions to trade on a most-favoured-nation basis. Thus, where such treatment is

granted to a developing country Member by a developed country Member, it must be designed and, if necessary, modified to respond positively to the development, financial and trade needs of developing country Members.

The Enabling Clause is the WTO legal basis for the Generalized System of Preferences (GSP). Under the GSP, developed countries offer non-reciprocal preferential treatment (such as zero or low duties on imports) to products originating in developing countries. Preference-giving countries unilaterally determine which countries and which products are included in their schemes.

The Enabling Clause is also the legal basis for regional arrangements among developing countries and for the Global System of Trade Preferences (GSTP), under which a number of developing countries exchange trade concessions among themselves.

Finally, the Enabling Clause introduces the notion of graduation which consists of progressively eliminating the advantages accorded to LDCs in line with their development.

2. Specific Reports

a. Central Bank of Jordan

Commitments imposed upon the Central Bank of Jordan following to Jordan's accession to WTO are categorized as the following:

Firstly, Rules Commitments

This category of commitments refers to commitments stated in the Working Party Report and must be observed by relevant state bodies before making decisions, adopting policies, or taking legal measures that affect Jordan's foreign trade regime.

a. Policies Affecting Trade in Goods

1. Quantitative import restrictions

Jordan is committed that it would not introduce, re-introduce or apply quantitative restrictions on imports, or other non-tariff measures such as licensing, quotas, bans, permits, prior authorization requirements, licensing requirements and other restrictions having equivalent effect that cannot be justified under the provisions of the WTO Agreement. Any amendments to the import licensing regime shall be fully in accordance with all relevant provisions of the WTO, including the Agreement on Import Licensing Procedures. Any suspension of imports and exports or applying licensing requirements that could be used to suspend, ban, or otherwise restrict the quantity of trade shall be applied in conformity with the requirements of the WTO, in particular Articles XI, XII, XIII, XVIII, XIX, XX and XXI of the GATT 1994, and Agreement on Agriculture, Application of Sanitary and Phytosanitary Measures, Import Licensing Procedures, Safeguards and Technical Barriers to Trade. Thus, in applying any policy, decision or action the Central Bank shall not impose any restrictions that affect imports of goods. (Working Party Report para. 88)¹

Notwithstanding the above, countries facing difficulties in balance-of-payment may apply restrictions on imports under the provisions of GATT 1994. Therefore, the Central Bank of Jordan may impose quantitative restrictions on imports, for balance-of-payment reasons, in compliance with Arts. XII and XVIII:B of GATT and "Understanding of the Balance-of-Payments Provisions of the GATT 1994".

Finally, in regards to Other Duties and Charges, Jordan is not permitted to apply any Other Duties and Charges in addition to

¹ Report of the Working Party on the Accession of Jordan (WT/ACC/JOR/33)

those that reflect the cost of services rendered in accordance with Article VIII of the GATT 1994. Further, Jordan is committed not to list any other charges in its Goods Market Access Schedule under Article II:1(b) of the GATT 1994, binding such charges at "zero". (WP report para 59)

2. Subsidies and domestic support

Article XVI GATT and the Agreement on Subsidies and Countervailing Measures (SCM) discipline the use of subsidies.

SCM Agreement clarifies and complements Article XVI of the GATT 1994 on subsidies and Article VI on anti-dumping and countervailing duties. The Agreement provides greater transparency by defining the concept of subsidy and clarifying the rules for the imposition and collection of countervailing duties. This agreement does two things: it disciplines the use of subsidies, and it regulates the actions countries can take to counter the effects of subsidies. It says a country can use the WTO's dispute settlement procedure to seek the withdrawal of the subsidy or the removal of its adverse effects. Or the country can launch its own investigation and ultimately charge extra duty (known as "countervailing duty") on subsidized imports that are found to be hurting domestic producers. A subsidy is defined by Article 1 as a financial contribution or any form of income or price support by a government or any other public body and which confers a benefit. To determine whether a benefit exists, one generally compares the situation concerned with prevailing market conditions.

Jordan is committed that any subsidy programmes shall be administered in conformity with the Agreement on Subsidies and Countervailing Measures. All necessary information on such programmes shall be notified to the Committee on Subsidies and Countervailing Measures in accordance with Article 25 of the Agreement (WP report para. 131). In the case of agricultural subsidies, Jordan is committed to bind agricultural export subsidies at zero (WP report para. 189).

In regards to domestic support, there are, under the Agriculture Agreement, two categories of domestic support — support with no, or minimal, distortive effect on trade on the one hand (often referred to as "Green Box" measures) and trade-distorting support on the other hand (often referred to as "Amber Box" measures). For example, government provided agricultural research or training is considered to be of the former type, while government buying-in at a guaranteed price ("market price support") falls into the latter category. Under the Agreement on Agriculture, all domestic support in favour of agricultural producers is subject to rules. In addition, the aggregate monetary value of Amber Box measures is, with certain exceptions, subject to reduction commitments as

specified in the schedule of each WTO Member providing such support. The reduction commitments are expressed in terms of a “Total Aggregate Measurement of Support” (Total AMS) which includes all product-specific support and non-product-specific support in one single figure. Members with a Total AMS have to reduce base period support by 20 per cent over 6 years (developed country Members) or 13 per cent over 10 years (developing country Members). In any year of the implementation period, the Current Total AMS value of non-exempt measures must not exceed the scheduled Total AMS limit as specified in the schedule for that year. In other words, the maximum levels of such support are bound in the WTO.

Jordan had AMS of JD 1,539,199 and Jordan is committed to reduce this by 13.3 per cent over seven years from the date of accession. (WP Report 189)

To sum up, the relevant state bodies in Jordan (the Ministry of Agriculture, the Ministry of Finance, the Central Bank, and Jordan Investment Board) must observe the following:

- Any subsidy programmes shall be administered in conformity with the Agreement on Subsidies and Countervailing Measures.
- No subsidies contingent upon export (export subsidies) for agricultural products
- Domestic support may not exceed 10% of total value of agricultural output
- The total Aggregate Measure of Support (estimated at JD 1,539,199 during period 1994-1996) must be reduced by 13.3% over a period of 7 years from the date of accession.

b. Making and Enforcing Policies

Jordan is committed that if Jordanian laws or other acts should be found to contradict international treaties or agreements, the provisions of the international treaty or agreement, such as the WTO, would apply. (WP report para. 43)

The provisions of the WTO Agreement, including Jordan’s Protocol of Accession, shall be applied uniformly throughout Jordan’s customs territory and other territories under its control, including in regions engaging in border trade or frontier traffic, special economic zones, and other areas where special regimes for tariffs, taxes and regulations are established. In situation where WTO provisions were not being applied or were applied in a non-uniform manner, central authorities would act to enforce WTO provisions without requiring affected parties to petition through the courts. (WP report para. 43)

c. Pricing Policies

Art.III (1) GATT provides that WTO members recognize that internal taxes and other internal charges, and laws, regulations and requirements affecting the internal sale, offering for sale, purchase, transportation, distribution or use of products, and internal quantitative regulations requiring the mixture, processing or use of products in specified amounts or proportions, should not be applied to imported or domestic products so as to afford protection to domestic production. Paragraph 9 from the same article provides that that internal maximum price control measures can have effects prejudicial to the interests of WTO members supplying imported products. Accordingly, WTO members applying such measures shall take account of the interests of exporting contracting parties with a view to avoiding to the fullest practicable extent such prejudicial effects.

Jordan is committed to apply the price and profitability controls in a WTO-consistent fashion, and would take account of the interests of exporting WTO Members as provided for in Article III:9 of the GATT 1994. Also, Jordan is committed to publish any list of goods and services subject to State price controls in the Official Journal, including any changes regarding existing price controls. (WP Report Para. 32)

Secondly, Legal Commitments

This category refers to laws, regulations, instructions, and decision that must be in effect, modified or cancelled in order to conform to the WTO requirements.

Jordan is committed to cancel the legal measures that authorize the Central Bank discount of commercial documents to finance Jordanian exports at below market interest rate (WP report para. 126)

Thirdly, Notification Commitments

This category refers to notification commitments that the Central Bank is concerned with. The Central Bank has to prepare a draft of notification in coordination with Ministry of Industry and Trade which is the focal point in submitting notifications to the WTO.

Notification Requirement	Type of Measure
Paragraph 9 from Understanding on Balance-of-Payments Provisions of the GATT 1994	Balance-of-payment restrictions; consolidated notification of laws/regulations, including all changes in laws, regulations, policy statements or public notices, for examination by Members.
Agreement on Import Licensing Procedures, Article 1.4 (a)	Names of publications in which rules and information relevant to the ILP Agreement are published; copies of publications

Notification Requirement	Type of Measure
Agreement on Import Licensing Procedures, Article 7.3	Replies to questionnaire on import licensing procedures
Agreement on Import Licensing Procedures, Article 8.2(b)	Laws/regulations and administrative procedures and changes thereto
The Agreement on Subsidies and Countervailing Measures (SCM) art. 25 (1)	Subsidies granted or maintained within Jordanian territories
The Agreement on Subsidies and Countervailing Measures (SCM) art.32 (6)	Changes in laws and regulations relevant to this Agreement and in the administration of such laws and regulations.
GATS art. III (3)	Each Member shall promptly and at least annually inform the Council for Trade in Services of the introduction of any new, or any changes to existing, laws, regulations or administrative guidelines which significantly affect trade in services covered by its specific commitments under this Agreement.
GATS art. V (7)(a)	Members to agreement referred to in paragraph 1 art. V (agreements liberalizing trade in services between or among the parties to such an agreement) shall promptly notify any such agreement and any enlargement or any significant modification of that agreement to the Council for Trade in Services.
GATS, Article XXI (1)(b) Modification of Schedules	A Member shall notify its intent to modify or withdraw a commitment pursuant to this Article no later than three months before the intended date of implementation of the modification or withdrawal.
GATS art. Article X(2) (Emergency Safeguard Measures)	To notify any intention to modify or withdraw a specific commitment after a period of one year from the date on which the commitment enters into force; provided that the Member shows cause to the Council that the modification or withdrawal cannot await the lapse of the three-year period provided for in paragraph 1 of Article XXI.

Fourthly, Services Commitments.

WTO principles of freer and fairer trade apply also on services. These principles appear in the General Agreement on Trade in Services (GATS). WTO members have made individual commitments under GATS stating which of their services sectors they are willing to open to foreign competition, and how accessible those markets are.

In this Manual, Service Commitments category refers to specific commitments in the Service Sector that must be observed by the Central Bank in making policy change or making a decision on a specific investment in the service sector.

Services commitments under the GATS are registered in schedules. Each Member of the WTO is required to have a schedule in which it registers its commitments to provide market access and national treatment to services and service suppliers of other Members. When making a commitment, a Member binds the level of market access and national treatment specified in the schedule and undertakes not to impose any new measures that would restrict entry into the market or discriminate in favour of services or services suppliers of national origin. A specific commitment thus has an effect similar to a tariff binding under the GATT. Commitments can only be withdrawn or modified after negotiation and agreement with other Members on a compensatory adjustment through which the modifying Member offers alternative commitments. However, new commitments and improvements to existing ones can be added at any time.

In nearly all schedules, commitments are divided into two sections: "horizontal" and "sector-specific" commitments. The horizontal section contains limitations which apply to all sectors included in the schedule. These often refer to particular modes of supply, notably commercial presence and movement of natural persons. The only purpose of having a section for horizontal commitments is to avoid repeating the same entry in relation to each sector contained in the schedule. Any evaluation of sector-specific commitments must therefore take into account the horizontal entries.

A schedule for the specific commitments related to the Central Bank is added below. In regards to formatting, all schedules conform to a standard formula which is intended to facilitate comparative analysis. For each sector or sub-sector inscribed, the schedule must indicate, with respect to the four modes of supply set out in Article (I, paragraph 2 GATS) any limitations on market access or national treatment which are to be maintained.

The said four modes are:

- 1- Cross border supply: the possibility for non-resident service suppliers to supply services cross-border into the Member's territory.
- 2- Consumption abroad: the freedom for the Member's residents to purchase services in the territory of another Member

- 3- Commercial presence: the opportunities for foreign service suppliers to establish, operate or expand a commercial presence in the Member's territory, such as a branch, agency, or wholly-owned subsidiary
- 4- Presence of natural persons: the possibilities offered for the entry and temporary stay in the Member's territory of foreign individuals in order to supply a service.

A commitment therefore consists of eight entries which indicate the presence or absence of market access and/or national treatment limitations with respect to each mode of supply. The first column in the standard format contains the sector or sub-sector which is the subject of the commitment; the second column contains limitations on market access; the third column contains limitations on national treatment. In the fourth column, if any, a Member may enter any additional commitments relating to matters which are not subject to scheduling under market access or national treatment including those regarding qualifications, standards or licensing matters.

Finally, Most-Favoured-Nation treatment (MFN) is a general obligation that applies to all measures affecting trade in services. MFN consists of the commitment by a Member of WTO immediately and unconditionally to accord to any other Member of the WTO all the advantages it would accord to any other country. However, particular measures inconsistent with the MFN obligation can be maintained. Such measures must have been specified in a list of MFN Exemptions submitted by the member. Jordan has submitted a list of MFN exemptions attached to the schedule of specific commitments.

Modes of supply: 1)Cross-Border supply 2)Consumption abroad 3)Commercial presence 4) Presence of natural persons

Sector or sub-sector	Limitations on market access	Limitations on national treatment	Additional commitments
A. HORIZONTAL COMMITMENTS			
All sectors included in this schedule			
		Regarding subsidies, modes (1), (2), (3) and (4) are Unbound.	
		(3) Foreign investments may not be less than JD 50,000. This does not apply to investments in public shareholding companies.	
		<u>Real Estate:</u> (3) All purchase of real estate by non-Jordanian firms must be related to the approved business activities and is subject to Cabinet authorization. Lease of real estate by non- Jordanian firms for more than three years is subject to Cabinet approval. All juridical entities are prohibited from engaging in real estate trading. <u>State Owned Land:</u> (3) Authorization for purchase or lease of state owned lands is restricted to Jordanian nationals.	

WTO Introductory Reports

Modes of supply: 1)Cross-Border supply 2)Consumption abroad 3)Commercial presence 4)
 Presence of natural persons

Sector or sub-sector	Limitations on market access	Limitations on national treatment	Additional commitments
	<p>(3) All investments in public utilities are generally subject to concession. In sectors where service provision is granted by concession, commercial establishment must be in the form of Public Shareholding Companies.</p>		
	<p>(4) Unbound except for measures concerning the entry and temporary stay of a natural person who falls in one of the following categories:</p> <p><u>Business visitors</u> A natural person who stays in Jordan without acquiring remuneration from within Jordan and without engaging in making direct sales to the general public or supplying services, for the purposes of participating in business meetings, business contacts including negotiations for the sale of services and/or other similar activities including those to prepare for establishing a commercial presence in Jordan. Entry and stay shall be for a period of 90 days.</p> <p><u>Intra-Corporate Transferees</u> Natural persons employed by a juridical entity of another member for a period of not less than one year and who seek temporary stay in order to render services to (i) the same juridical entity which is engaged in substantive business operation in Jordan or (ii) a juridical entity constituted in Jordan and engaged in substantive business operation in Jordan which is owned by or controlled by or affiliated with the aforementioned juridical entity.</p>	<p>(4) Unbound, except for measures affecting the categories referred to under market access.</p>	
	<p><u>Executives</u> Natural persons who are senior employees of a juridical entity, who are responsible for the entire or a substantial part of the entity's operations in Jordan, receiving general supervision or direction principally from higher level executives, the board of directors or stock-holders of the business.</p>		

Modes of supply: 1)Cross-Border supply 2)Consumption abroad 3)Commercial presence 4)
 Presence of natural persons

Sector or sub-sector	Limitations on market access	Limitations on national treatment	Additional commitments
	<p><u>Managers</u> Natural persons who direct the juridical entity, or department or sub-division of the juridical entity, supervise and control the work of supervisory, professional or managerial employees, have the authority to hire and fire or recommend hiring, firing, or other personnel actions and exercise discretionary authority over day-to-day operations at a senior level.</p> <p><u>Specialists</u> Natural persons employed by a juridical entity and possess knowledge at an advanced level of expertise and proprietary knowledge of a juridical entity product, service, research, equipment, techniques, or management.</p>		
	<p><u>Professionals</u> Natural persons seeking to engage, as part of services contract granted by a juridical entity engaged in substantive business in Jordan and obtained by a juridical entity of another Member, (other than entities providing services as defined by CPC872) which has no commercial presence in Jordan in the activity at a professional level. The person must possess the necessary academic credentials and professional qualifications, which have been duly recognized, where appropriate by the professional association in Jordan. The commitment relates only to the service activity which is the subject of the contract.</p> <p>Work permits for all categories are granted on the basis of an economic-needs test, i.e. to candidates whose qualifications are not available in Jordanians or those who are seeking work in fields in which Jordanians are in short supply.</p> <p>Intra-corporate transferees who are executives, managers and specialists (as defined above) are presumed to meet the economic needs test requirements.</p>		
	<p>Temporary work and residency-permits are required. Such permits are issued for a maximum period of one year, but are renewable.</p>		
		<p><u>Residency requirements:</u> (4) Managing director of a branch or juridical entity must be resident in Jordan.</p>	

Sector or sub-sector	Limitations on market access	Limitations on national treatment
B. Banking and other financial services (excluding insurance)		
The establishment of a commercial presence or the conduct of new activities is restricted to Public Shareholding companies constituted in Jordan, and to branches and subsidiaries of foreign banks, unless otherwise stated in the specific sub-sector.		
Furthermore, it is noted that only Banks may undertake activities involving the acceptance of deposits and other repayable funds from the public (CPC ² 81115-81119 excluding CPC 81117) and extend guarantees and commitments services (CPC 81199) and money broking. Financial service companies as seen in sub-sector entries below may provide all other financial activities(CPC 81339). Financial service companies are licensed to undertake Investment Trusteeship, Investment Management, Financial Consultations Financial Brokerage, Depository, Management of Primary Issues.		
(a) Acceptance of deposits and other repayable funds from the public(CPC 81115-81119 excluding CPC 81117) (e) Guarantees and Commitments (CPC 81199) (h) Money broking (CPC 81339)	(1) None (2) None (3) None (4) Unbound, except as indicated in the horizontal section.	(1) Real property in Jordan may not be mortgaged to banks outside Jordan. (2) None (3) None (4) Unbound, except as indicated in the horizontal section. Branches of foreign banks are required to have a resident regional manager.
(b) Lending of all types including consumer credit, factoring, mortgage credit, and financing of commercial transaction (CPC 8113) (c) Financial leasing (CPC 8112) (d) All payment and money transmission services (CPC 81339)	(1) None (2) None (3) Service must be provided through banks and specialized financial companies. (4) Unbound, except as indicated in the horizontal section.	(1) Real property in Jordan may not be mortgaged to banks outside Jordan. (2) None (3) None (4) Unbound, except as indicated in the horizontal section. Branches of foreign banks are required to have a resident regional manager.
(f) Trading for own account or for account of customers, whether on an exchange, in an over-the-counter market or otherwise, the following: Money market instruments (cheques, bills and certificates of deposits) (CPC 81339) Foreign Exchange(CPC 81333) Derivative products incl., but not limited to, futures and options (CPC 81339) Exchange rate and interest rate instruments, including products such as swaps and forward rate agreements (CPC 81339) Transferable securities Other negotiable instruments and financial assets, including bullion	(1) None, except for derivative products, unbound. (2) None, except for derivative products, unbound. (3) Access restricted to: a. Banks b. Financial services companies constituted in Jordan, in the form of public shareholding company, limited liability company or a limited partnership in shares company. (4) Unbound, except as indicated in the horizontal section.	(1) None (2) None (3) None (4) Unbound, except as indicated in the horizontal section.

² Central Product Classification (CPC) system from the United Nations gives a detailed explanation of the service activities covered by each listed sector or sub-sector.

Sector or sub-sector	Limitations on market access	Limitations on national treatment
<p>(g) Participation in issues of all kinds of securities, incl. underwriting and placement as agent (whether publicly or privately) and provision of service related to such issues.</p> <p>(i) Asset management, such as cash or portfolio management, all forms of collective investment management, custodial, depository, trust services, and pension fund management.</p>	<p>(1) Unbound.</p> <p>(2) Unbound, except for issuance and public offer of securities outside Jordan by foreign service providers abroad, and for management by service suppliers outside Jordan of assets which are not traded on Amman Financial Market or otherwise traded in Jordan.</p> <p>(3) Access restricted to:</p> <p>a. Financial services companies constituted in Jordan, in the form of public shareholding company, limited liability company or a limited partnership in shares company.</p> <p>b. Licensed banks through affiliated companies or separate accounts.</p> <p>(4) Unbound, except as indicated in the horizontal section.</p>	<p>(1) Unbound.</p> <p>(2) Unbound, except for issuance and public offer of securities outside Jordan by foreign service providers abroad, and for management by service suppliers outside Jordan of assets which are not traded on Amman Financial Market or otherwise traded in Jordan.</p> <p>(3) None</p> <p>(4) Unbound, except as indicated in the horizontal section.</p>
<p>(j) Settlement and clearing services for financial assets including securities, derivative products and other negotiable instruments.</p>	<p>(1) Unbound*</p> <p>(2) None</p> <p>(3) Access restricted to the Depository Center at the Amman Bourse for securities, and to the Central Bank of Jordan for all other financial instruments.</p> <p>(4) Unbound, except as indicated in the horizontal section.</p>	<p>(1) Unbound*</p> <p>(2) None</p> <p>(3) Access is restricted to the Depository Center at the Amman Bourse for securities, and the Central Bank of Jordan for all other financial instruments</p> <p>(4) Unbound, except as indicated in the horizontal section.</p>
<p>(k) Advisory and other auxiliary financial services on all the activities (a - l) , incl. credit reference and analysis, investment and portfolio research and advice, advice on acquisitions and on corporate restructuring and strategy</p>	<p>(1) None</p> <p>(2) None</p> <p>(3) Access restricted to:</p> <p>a. Financial services companies constituted in Jordan, in the form of a public shareholding company, limited liability company or a limited partnership in shares company.</p> <p>b. Banks</p> <p>(4) Unbound, except as indicated in the horizontal section.</p>	<p>(1) None</p> <p>(2) None</p> <p>(3) None-</p> <p>(4) Unbound, except as indicated in the horizontal section.</p>
<p>(l) Provision and transfer of financial information as related to financial data processing and related software by providers of other financial services</p>	<p>(1) None</p> <p>(2) None</p> <p>(3) None-</p> <p>(4) Unbound, except as indicated in the horizontal section.</p>	<p>(1) None</p> <p>(2) None</p> <p>(3) None-</p> <p>(4) Unbound, except as indicated in the horizontal section.</p>

* unbound due to lack of technical feasibility

b. Jordan Food and Drug Administration

Commitments imposed upon Food and Drug Administration following to Jordan's accession to WTO are categorized as the following:

Firstly, Rules Commitments

This category of commitments refers to commitments stated in the Working Party Report and must be observed by relevant state bodies before making decisions, adopting policies, or taking legal measures that affect Jordan's foreign trade regime.

1. Quantitative import restrictions

Jordan is committed that it would not introduce, re-introduce or apply quantitative restrictions on imports, or other non-tariff measures such as licensing, quotas, bans, permits, prior authorization requirements, licensing requirements and other restrictions having equivalent effect that cannot be justified under the provisions of the WTO Agreement. Any amendments to the import licensing regime shall be fully in accordance with all relevant provisions of the WTO, including the Agreement on Import Licensing Procedures. Any suspension of imports and exports or applying licensing requirements that could be used to suspend, ban, or otherwise restrict the quantity of trade shall be applied in conformity with the requirements of the WTO, in particular Articles XI, XII, XIII, XVIII, XIX, XX and XXI of the GATT 1994, and Agreement on Agriculture, Application of Sanitary and Phytosanitary Measures, Import Licensing Procedures, Safeguards and Technical Barriers to Trade. Thus, in applying any policy, decision or action the Department shall not impose any restrictions that affect imports of goods. (Working Party Report para. 88)

In regards to Other Duties and Charges, Jordan is not permitted to apply any Other Duties and Charges in addition to those that reflect the cost of services rendered in accordance with Article VIII of the GATT 1994. Further, Jordan is committed not to list any other charges in its Goods Market Access Schedule under Article II:1(b) of the GATT 1994, binding such charges at "zero". (WP report para 59)

2. Pricing Policies

Art.III (1) GATT provides that WTO members recognize that internal taxes and other internal charges, and laws, regulations and requirements affecting the internal sale, offering for sale, purchase, transportation, distribution or use of products, and internal quantitative regulations requiring the mixture, processing or use of products in specified amounts or proportions, should not be applied to imported or domestic products so as to afford protection to domestic production. Paragraph 9 from the same article provides that that internal maximum price control measures can have effects prejudicial to the interests of WTO members supplying

imported products. Accordingly, WTO members applying such measures shall take account of the interests of exporting contracting parties with a view to avoiding to the fullest practicable extent such prejudicial effects.

Jordan is committed to apply the price and profitability controls in a WTO-consistent fashion, and would take account of the interests of exporting WTO Members as provided for in Article III:9 of the GATT 1994. Also, Jordan is committed to publish any list of goods and services subject to State price controls in the Official Journal, including any changes regarding existing price controls. (WP Report Para. 32)

3. Making and Enforcing Policies

Jordan is committed that if Jordanian laws or other acts should be found to contradict international treaties or agreements, the provisions of the international treaty or agreement, such as the WTO, would apply. (WP report para. 43)

The provisions of the WTO Agreement, including Jordan's Protocol of Accession, shall be applied uniformly throughout Jordan's customs territory and other territories under its control, including in regions engaging in border trade or frontier traffic, special economic zones, and other areas where special regimes for tariffs, taxes and regulations are established. In situation where WTO provisions were not being applied or were applied in a non-uniform manner, central authorities would act to enforce WTO provisions without requiring affected parties to petition through the courts. (WP report para. 43)

4. Trading Rights,

Jordan is committed to make its laws, regulations and requirements relating to the right to import and export and all fees, charges or taxes levied on such rights in full conformity with its WTO obligations, including:

- GATT VIII:1(a) : that all fees and charges of whatever character (other than import and export duties and other than taxes within the purview of Article III) imposed by contracting parties on or in connection with importation or exportation shall be limited in amount to the approximate cost of services rendered and shall not represent an indirect protection to domestic products or a taxation of imports or exports for fiscal purposes.
- GATT XI:1 : that no prohibitions or restrictions other than duties, taxes or other charges shall be instituted or maintained by any contracting party on the importation of any product of the territory of any other contracting party or on the exportation or sale for export of any product destined for the territory of any other contracting party.
- Art. III:2 and 4 of the GATT: (National Treatment) The products of the territory of any contracting party imported into the territory of any other contracting party shall not be subject, directly or indirectly,

to internal taxes or other internal charges of any kind in excess of those applied, directly or indirectly, to like domestic products.

Further, the products of the territory of any contracting party imported into the territory of any other contracting party shall be accorded treatment no less favourable than that accorded to like products of national origin in respect of all laws, regulations and requirements affecting their internal sale, offering for sale, purchase, transportation, distribution or use.

5. Technical barriers, Sanitary and phytosanitary measures

Under the WTO there is an Agreement on the Application of Sanitary and Phytosanitary Measures sets out the basic rules for food safety and animal and plant health standards. It allows countries to set their own standards. But it also says regulations must be based on science. They should be applied only to the extent necessary to protect human, animal or plant life or health. And they should not arbitrarily or unjustifiably discriminate between countries where identical or similar conditions prevail. The agreement still allows countries to use different standards and different methods of inspecting products.

The Agreement on Sanitary and Phytosanitary Measures (SPS) builds on previous GATT rules to restrict the use of unjustified sanitary and phytosanitary measures for the purpose of trade protection. The basic aim of the SPS Agreement is to maintain the sovereign right of any government to provide the level of health protection it deems appropriate, but to ensure that these sovereign rights are not misused for protectionist purposes and do not result in unnecessary barriers to international trade

Jordan is committed to apply its sanitary and phytosanitary standards system in conformity with WTO provisions under the Agreement on the Application of Sanitary and Phytosanitary Measures. Jordan further is committed not to apply stricter rules than those laid out by international organizations such as OIE will be applied. (WP Report Paragraph 151)

Further, there is an Agreement on Technical Barriers to Trade (TBT) which tries to ensure that regulations, standards, testing and certification procedures do not create unnecessary obstacles. The agreement sets out a code of good practice for the preparation, adoption and application of standards by central government bodies. The agreement says that the procedures used to decide whether a product conforms with national standards have to be fair and equitable. It discourages any methods that would give domestically produced goods an unfair advantage.

Jordan is committed to comply with all obligations under the WTO Agreement on Technical Barriers to Trade (WP Report Paragraph 140). Jordan is committed to review its remaining 1,110 mandatory standards and to replace them with voluntary standards or with technical regulations, consistent with Article 2 of the TBT Agreement on

Preparation, Adoption and Application of Technical Regulations by Central Government Bodies. (WP report, para.137)

Secondly, Legal Commitments

This category refers to laws, regulations, instructions, and decision that must be in effect, modified or cancelled in order to conform to the WTO requirements.

Jordan is committed to put its Law on Food Safety in full conformity with the rules and principles of the WTO.

Thirdly, Notification Commitments

This category refers to notifications that the Food and Drug Department is concerned with under the WTO. The Department has to prepare a draft of notification in coordination with Ministry of Industry and Trade which is the focal point in submitting notifications to the WTO.

Notification Requirement	Type of Measure
Agreement on Import Licensing Procedures, Article 1.4 (a)	Names of publications in which rules and information relevant to the ILP Agreement are published; copies of publications
Agreement on Import Licensing Procedures, Article 7.3	Replies to questionnaire on import licensing procedures
Agreement on Import Licensing Procedures, Article 8.2(b)	Laws/regulations and administrative procedures and changes thereto
Agreement on Sanitary and Phytosanitary Measures (SPS) Art.7	Members shall notify changes in their sanitary or phytosanitary measures and shall provide information on their sanitary or phytosanitary measures in accordance with the provisions of Annex B to the Agreement.

c. Ministry of Culture- National Library

Further to Jordan's accession to the WTO, various commitments have been imposed upon Ministry of Culture. Such commitments are categorized as follows:

Firstly, Rules Commitments

This category of commitments refers to commitments stated in the Working Party Report and must be observed by relevant state bodies before making decisions, adopting policies or taking legal measures that affect Jordan's foreign trade regime.

1- Trade-Related Intellectual Property Rights

The term of Intellectual Property Rights (IPRs) refers to the rights given to persons over the creations of their minds. IPRs usually give the creator an exclusive right over the use of his/her creation for a certain period of time.

The WTO's Agreement on Trade-Related Aspects of Intellectual Property Rights (TRIPS) introduced intellectual property rules under the WTO system. TRIPS covers various kinds of Intellectual Property Rights including Copyright, Trademarks, Geographical indications, Industrial designs, Patents, Layout-designs (topographies) of integrated circuits and Undisclosed information. Jordan is committed to apply fully all the provisions of the Agreement on Trade-Related Aspects of Intellectual Property Rights. (WP Report Paragraph 230)

TRIPS Agreement is an attempt to narrow the gaps in the way these rights are protected around the world, and to bring them under common international rules. It establishes minimum levels of protection that each government has to give to the intellectual property of fellow WTO members. Society benefits in the long term when intellectual property protection encourages creation and invention, especially when the period of protection expires and the creations and inventions enter the public domain.

The areas of intellectual property that it covers are: copyright and related rights (i.e. the rights of performers, producers of sound recordings and broadcasting organizations); trademarks including service marks; geographical indications including appellations of origin; industrial designs; patents including the protection of new varieties of plants; the layout-designs of integrated circuits; and undisclosed information including trade secrets and test data.

The three main features of the Agreement are:

- **Standards.** In respect of each of the main areas of intellectual property covered by the TRIPS Agreement, the Agreement sets out the minimum standards of protection to be provided by each

Member. Each of the main elements of protection is defined, namely the subject-matter to be protected, the rights to be conferred and permissible exceptions to those rights, and the minimum duration of protection. The Agreement sets these standards by requiring, first, that the substantive obligations of the main conventions of the WIPO, the Paris Convention for the Protection of Industrial Property (Paris Convention) and the Berne Convention for the Protection of Literary and Artistic Works (Berne Convention) in their most recent versions, must be complied with. With the exception of the provisions of the Berne Convention on moral rights, all the main substantive provisions of these conventions are incorporated by reference and thus become obligations under the TRIPS Agreement between TRIPS Member countries. The relevant provisions are to be found in Articles 2.1 and 9.1 of the TRIPS Agreement, which relate, respectively, to the Paris Convention and to the Berne Convention. Secondly, the TRIPS Agreement adds a substantial number of additional obligations on matters where the pre-existing conventions are silent or were seen as being inadequate. The TRIPS Agreement is thus sometimes referred to as a Berne and Paris-plus agreement.

1. **Enforcement.** The second main set of provisions deals with domestic procedures and remedies for the enforcement of intellectual property rights. The Agreement lays down certain general principles applicable to all IPR enforcement procedures. In addition, it contains provisions on civil and administrative procedures and remedies, provisional measures, special requirements related to border measures and criminal procedures, which specify, in a certain amount of detail, the procedures and remedies that must be available so that right holders can effectively enforce their rights.
 - **Dispute settlement.** The Agreement makes disputes between WTO Members about the respect of the TRIPS obligations subject to the WTO's dispute settlement procedures.

In addition the Agreement provides for certain basic principles, such as national and most-favoured-nation treatment, and some general rules to ensure that procedural difficulties in acquiring or maintaining IPRs do not nullify the substantive benefits that should flow from the Agreement. The obligations under the Agreement will apply equally to all Member countries, but developing countries will have a longer period to phase them in.

The TRIPS Agreement is a minimum standards agreement, which allows Members to provide more extensive protection of intellectual property if they so wish. Members are left free to determine the appropriate method of implementing the provisions of the Agreement within their own legal system and practice.

The basic obligation on each Member country is to accord the treatment in regard to the protection of intellectual property provided for under the

Agreement to the persons of other Members. Article 1.3 defines who these persons are. These persons are referred to as “nationals” but include persons, natural or legal, who have a close attachment to other Members without necessarily being nationals.

Articles 3, 4 and 5 include the fundamental rules on national and most-favoured-nation treatment of foreign nationals, which are common to all categories of intellectual property covered by the Agreement. While the national treatment clause forbids discrimination between a Member's own nationals and the nationals of other Members, the most-favoured-nation treatment clause forbids discrimination between the nationals of other Members. In respect of the national treatment obligation, the exceptions allowed under the pre-existing intellectual property conventions of WIPO are also allowed under TRIPS. Where these exceptions allow material reciprocity, a consequential exception to MFN treatment is also permitted (e.g. comparison of terms for copyright protection in excess of the minimum term required by the TRIPS Agreement as provided under Article 7(8) of the Berne Convention as incorporated into the TRIPS Agreement). Certain other limited exceptions to the MFN obligation are also provided for.

The general goals of the TRIPS Agreement are contained in the Preamble of the Agreement. These objectives include the reduction of distortions and impediments to international trade, promotion of effective and adequate protection of intellectual property rights, and ensuring that measures and procedures to enforce intellectual property rights do not themselves become barriers to legitimate trade. These objectives should be read in conjunction with Article 7, entitled “Objectives”, according to which the protection and enforcement of intellectual property rights should contribute to the promotion of technological innovation and to the transfer and dissemination of technology, to the mutual advantage of producers and users of technological knowledge and in a manner conducive to social and economic welfare, and to a balance of rights and obligations. Article 8, entitled “Principles”, recognizes the rights of Members to adopt measures for public health and other public interest reasons and to prevent the abuse of intellectual property rights, provided that such measures are consistent with the provisions of the TRIPS Agreement.

Ministry of Culture and the National Library are mostly concerned with the Copyright protection under TRIPS.

Copyright

During the Uruguay Round negotiations, it was recognized that the Berne Convention already, for the most part, provided adequate basic standards of copyright protection. Thus it was agreed that the point of departure should be the existing level of protection under the latest Act, the Paris Act of 1971, of that Convention. The point of departure is expressed in Article 9.1 under which Members are obliged to comply with the substantive provisions of the Paris Act of 1971 of the Berne Convention, i.e. Articles 1

through 21 of the Berne Convention (1971) and the Appendix thereto. However, Members do not have rights or obligations under the TRIPS Agreement in respect of the rights conferred under Article 6bis of that Convention, i.e. the moral rights (the right to claim authorship and to object to any derogatory action in relation to a work, which would be prejudicial to the author's honour or reputation), or of the rights derived therefrom. The provisions of the Berne Convention referred to deal with questions such as subject-matter to be protected, minimum term of protection, and rights to be conferred and permissible limitations to those rights. The Appendix allows developing countries, under certain conditions, to make some limitations to the right of translation and the right of reproduction.

In addition to requiring compliance with the basic standards of the Berne Convention, the TRIPS Agreement clarifies and adds certain specific points.

Article 9.2 confirms that copyright protection shall extend to expressions and not to ideas, procedures, and methods of operation or mathematical concepts as such.

Article 10.1 provides that computer programs, whether in source or object code, shall be protected as literary works under the Berne Convention (1971). This provision confirms that computer programs must be protected under copyright and that those provisions of the Berne Convention that apply to literary works shall be applied also to them. It confirms further, that the form in which a program is, whether in source or object code, does not affect the protection. The obligation to protect computer programs as literary works means e.g. that only those limitations that are applicable to literary works may be applied to computer programs. It also confirms that the general term of protection of 50 years applies to computer programs. Possible shorter terms applicable to photographic works and works of applied art may not be applied.

Article 10.2 clarifies that databases and other compilations of data or other material shall be protected as such under copyright even where the databases include data that as such are not protected under copyright. Databases are eligible for copyright protection provided that they by reason of the selection or arrangement of their contents constitute intellectual creations. The provision also confirms that databases have to be protected regardless of which form they are in, whether machine readable or other form. Furthermore, the provision clarifies that such protection shall not extend to the data or material itself, and that it shall be without prejudice to any copyright subsisting in the data or material itself.

Article 11 provides that authors shall have in respect of at least computer programs and, in certain circumstances, of cinematographic works the right to authorize or to prohibit the commercial rental to the public of originals or copies of their copyright works. With respect to cinematographic works, the exclusive rental right is subject to the so-called impairment test: a Member is excepted from the obligation unless such

rental has led to widespread copying of such works which is materially impairing the exclusive right of reproduction conferred in that Member on authors and their successors in title. In respect of computer programs, the obligation does not apply to rentals where the program itself is not the essential object of the rental.

According to the general rule contained in Article 7(1) of the Berne Convention as incorporated into the TRIPS Agreement, the term of protection shall be the life of the author and 50 years after his death. Paragraphs 2 through 4 of that Article specifically allow shorter terms in certain cases. These provisions are supplemented by Article 12 of the TRIPS Agreement, which provides that whenever the term of protection of a work, other than a photographic work or a work of applied art, is calculated on a basis other than the life of a natural person, such term shall be no less than 50 years from the end of the calendar year of authorized publication, or, failing such authorized publication within 50 years from the making of the work, 50 years from the end of the calendar year of making.

Article 13 requires Members to confine limitations or exceptions to exclusive rights to certain special cases which do not conflict with a normal exploitation of the work and do not unreasonably prejudice the legitimate interests of the right holder. This is a horizontal provision that applies to all limitations and exceptions permitted under the provisions of the Berne Convention and the Appendix thereto as incorporated into the TRIPS Agreement. The application of these limitations is permitted also under the TRIPS Agreement, but the provision makes it clear that they must be applied in a manner that does not prejudice the legitimate interests of the right holder.

2- Making and Enforcing Policies

Jordan is committed that if Jordanian laws or other acts should be found to contradict international treaties or agreements, the provisions of the international treaty or agreement, such as the WTO, would apply. (WP report para. 43)

The provisions of the WTO Agreement, including Jordan's Protocol of Accession, shall be applied uniformly throughout Jordan's customs territory and other territories under its control, including in regions engaging in border trade or frontier traffic, special economic zones, and other areas where special regimes for tariffs, taxes and regulations are established. In situation where WTO provisions were not being applied or were applied in a non-uniform manner, central authorities would act to enforce WTO provisions without requiring affected parties to petition through the courts. (WP report para. 43)

3- Pricing Policies

Art.III (1) GATT provides that WTO members recognize that internal taxes and other internal charges, and laws, regulations and requirements affecting the internal sale, offering for sale, purchase, transportation, distribution or use of products, and internal quantitative regulations requiring the mixture, processing or use of products in specified amounts or proportions, should not be applied to imported or domestic products so as to afford protection to domestic production. Paragraph 9 from the same article provides that that internal maximum price control measures can have effects prejudicial to the interests of WTO members supplying imported products. Accordingly, WTO members applying such measures shall take account of the interests of exporting members with a view to avoiding to the fullest practicable extent such prejudicial effects.

Jordan is committed to apply the price and profitability controls in a WTO-consistent fashion, and would take account of the interests of exporting WTO Members as provided for in Article III:9 of the GATT 1994. Also, Jordan is committed to publish any list of goods and services subject to State price controls in the Official Journal, including any changes regarding existing price controls. (WP Report Para. 32)

4- Trading Rights,

Jordan is committed to make its laws, regulations and requirements relating to the right to import and export and all fees, charges or taxes levied on such rights in full conformity with its WTO obligations, including:

- GATT VIII:1(a) : that all fees and charges of whatever character (other than import and export duties and other than taxes within the purview of Article III) imposed by members on or in connection with importation or exportation shall be limited in amount to the approximate cost of services rendered and shall not represent an indirect protection to domestic products or a taxation of imports or exports for fiscal purposes.
- GATT XI:1 : that no prohibitions or restrictions other than duties, taxes or other charges shall be instituted or maintained by any member on the importation of any product of the territory of any other member or on the exportation or sale for export of any product destined for the territory of any other member.
- Art. III:2 and 4 of the GATT: (National Treatment) The products of the territory of any member imported into the territory of any other member shall not be subject, directly or indirectly, to internal taxes or other internal charges of any kind in excess of those applied, directly or indirectly, to like domestic products.

Further, the products of the territory of any member imported into the territory of any other member shall be accorded treatment no less favourable than that accorded to like products of national origin in respect of all laws, regulations and requirements affecting their internal sale, offering for sale, purchase, transportation, distribution or use.

Secondly, Legal Commitments

This category refers to laws, regulations, instructions, and decision that must be enacted, modified or cancelled in order to conform to the WTO requirements.

Jordan is concerned largely in introducing regulations for copyrights that conform to the WTO requirements. When drafting implementing regulations connected with copyrights, the National Library is committed to observe certain commitments stated in the Working Party Report.

- 1- Jordan is committed to issue regulations that clarify the meaning of art. 27 from Copyrights Law 1992 as amended. The Regulations shall provide that the authority in Article 27 applies only in the situation in which the author of a work is deceased and the work has never been published in the author's lifetime. In such circumstances, the Minister shall first seek the permission of the author's heirs or successors to publish the work, and if such permission is not granted within six months, the Minister shall have the right to publish only the work's substance. (Working Party Report Para.199)
- 2- Jordan is committed to issue Regulations clarify the meaning of the "for financial gain" in Art. 9 of Copyright Law, the term shall not preclude the ability of the author or right holder from engaging in, authorizing or prohibiting any non-commercial exploitation of his work; except for those non-commercial exploitations explicitly permitted by the law without the authorization of the author or right holder, provided that such exploitations were limited to certain special cases, and provided that such exploitations did not conflict with a normal exploitation of the work and did not unreasonably prejudice the legitimate interests of the right holder. (Working Party Report Para.200).
- 3- Jordan is committed to adopt WTO-consistent regulations and instructions to establish appropriate mechanisms for the implementation of the Law on Copyrights.

Thirdly, Notification Commitments

This category refers to notifications that the Ministry and the National Library are concerned with. The Ministry has to prepare a draft of notification in coordination with Ministry of Industry and Trade which is the focal point in submitting notifications to the WTO.

Notification Requirement	Type of Measure
TRIPS Agreement, Art. 1(3)	Any Member availing itself of the possibilities provided in paragraph 3 of Article 5 or paragraph 2 of Article 6 of the Rome Convention shall make a notification as foreseen in those provisions to the Council for Trade-Related Aspects of Intellectual Property Rights (the “Council for TRIPS”).
TRIPS Agreement, Art. 3(1)	Any Member availing itself of the possibilities provided in Article 6 of the Berne Convention (1971) or paragraph 1(b) of Article 16 of the Rome Convention shall make a notification as foreseen in those provisions to the Council for TRIPS
TRIPS Agreement, Article 63.2	Laws / regulations made effective by the notifying Member (pertaining to the availability, scope, acquisition, enforcement and prevention of the abuse of intellectual property rights)
TRIPS Agreement, Article 69	Specification of contact points

d. Ministry of Housing and Public Works

Commitments imposed upon Ministry of Housing and Public Works following to Jordan's accession to the WTO are categorized as the following:

Firstly, Rules Commitments

This category of commitments refers to commitments stated in the Working Party Report and must be observed by relevant state bodies before making decisions, adopting policies, or taking legal measures that affect Jordan's foreign trade regime.

1. Subsidies

Article XVI GATT and The Agreement on Subsidies and Countervailing Measures (SCM) discipline the use of subsidies.

SCM Agreement clarifies and complements Article XVI of the GATT 1994 on subsidies and Article VI on anti-dumping and countervailing duties. The Agreement provides greater transparency by defining the concept of subsidy and clarifying the rules for the imposition and collection of countervailing duties. This agreement does two things: it disciplines the use of subsidies, and it regulates the actions countries can take to counter the effects of subsidies. It says a country can use the WTO's dispute settlement procedure to seek the withdrawal of the subsidy or the removal of its adverse effects. Or the country can launch its own investigation and ultimately charge extra duty (known as "countervailing duty") on subsidized imports that are found to be hurting domestic producers. A subsidy is defined by Article 1 as a financial contribution or any form of income or price support by a government or any other public body and which confers a benefit. To determine whether a benefit exists, one generally compares the situation concerned with prevailing market conditions.

Jordan is committed that any subsidy programmes shall be administered in conformity with the Agreement on Subsidies and Countervailing Measures. All necessary information on such programmes shall be notified to the Committee on Subsidies and Countervailing Measures in accordance with Article 25 of the Agreement (WP report para. 131). In the case of agricultural subsidies, Jordan is committed to bind agricultural export subsidies at zero (WP report para. 189).

2. Making and Enforcing Policies

Jordan is committed that if Jordanian laws or other acts should be found to contradict international treaties or agreements, the provisions of the international treaty or agreement, such as the WTO, would apply. (WP report para. 43)

The provisions of the WTO Agreement, including Jordan's Protocol of Accession, shall be applied uniformly throughout Jordan's customs territory and other territories under its control, including in regions engaging in border trade or frontier traffic, special economic zones, and other areas where special regimes for tariffs, taxes and regulations are established. In situation where WTO provisions were not being applied or were applied in a non-uniform manner, central authorities would act to enforce WTO provisions without requiring affected parties to petition through the courts. (WP report para. 43)

3. Government Procurement

In most countries the government, and the agencies it controls, are together the biggest purchasers of goods of all kinds, ranging from basic commodities to high-technology equipment. At the same time, the political pressure to favour domestic suppliers over their foreign competitors can be very strong.

An Agreement on Government Procurement was first negotiated during the Tokyo Round and entered into force on 1 January 1981. Its purpose is to open up as much of this business as possible to international competition. It is designed to make laws, regulations, procedures and practices regarding government procurement more transparent and to ensure they do not protect domestic products or suppliers, or discriminate against foreign products or suppliers.

The agreement has 28 members. It has two elements — general rules and obligations, and schedules of national entities in each member country whose procurement is subject to the agreement. A large part of the general rules and obligations concern tendering procedures.

The present agreement and commitments were negotiated in the Uruguay Round. These negotiations achieved a 10-fold expansion of coverage, extending international competition to include national and local government entities whose collective purchases are worth several hundred billion dollars each year. The new agreement also extends coverage to services (including construction services), procurement at the sub-central level (for example, states, provinces, departments and prefectures), and procurement by public utilities. The new agreement took effect on 1 January 1996.

It also reinforces rules guaranteeing fair and non-discriminatory conditions of international competition. For example, governments will be required to put in place domestic procedures by which aggrieved private bidders can challenge procurement decisions and obtain redress in the event such decisions were made inconsistently with the rules of the agreement.

In Jordan, government procurement practices were governed by several laws and regulations depending on the nature and purpose of the

procurement. Two public departments – the Cooperation Organization and the National Aid Fund – enjoyed autonomy in their procurement according to their rules and regulations. Excluding these two bodies, the overall value of goods and services purchased by the public sector amounted to around JD 145 million annually.

Purchases of supplies for government departments were subject to Supplies Regulation No. 32 for 1993, which were amended for four times and the latest one is in 2004, and the Tenders Instructions No. (1) of 1994, which were amended for four times and the latest one was in 2004, issued by the Minister of Finance. The General Department of Supplies/Ministry of Finance is responsible for such procurement, which is normally conducted by tendering through the Central Tendering Committee. The committee comprised three permanent members from the General Supplies Department (GSD), the Ministry of Industry and Trade and the Ministry of Finance, and two members from the government department applying for the actual purchase.

Most procurement are conducted by open tender, but in some cases limited tendering would be applied, in which case a shortlist of qualified bidders would be drawn up on the basis of technical merits and experience. Public works contracts are tendered through the Ministry of Public Works.

Local products are given preference over imported products in government tenders. Supplies Regulation No. 32 for 1993 provides that if the specifications, quality degree, criteria and other conditions in the supplies offered and required for purchasing, became equal, the concerned authority of purchasing should give priority to the supplies produced in the Kingdom (locally), provided that their prices should be calculated according to the preferential differential prices decided by the cabinet. Also, to give priority to the supplies offered by the bidder residing in the Kingdom permanently. Moreover, a contractor procuring imported products should buy these in the local market rather than by direct importation.

Jordan has committed that it would initiate negotiations for membership in the Agreement on Government Procurement by tabling an entity offer. If the results of the negotiations were satisfactory to the interests of Jordan and the other members of the Agreement, Jordan commits to complete negotiations for membership in the Agreement. Signing the said agreement would impose upon Jordan an obligation to amend its regulations and instructions in a way that permit fair and non-discriminatory conditions of international competition in government procurement transactions. (WP Report, para. 170)

Secondly, Services Commitments

WTO principles of freer and fairer trade apply also on services. These principles appear in the General Agreement on Trade in Services (GATS).

WTO members have made individual commitments under GATS stating which of their services sectors they are willing to open to foreign competition, and how accessible those markets are.

In this Manual, Service Commitments category refers to specific commitments in the Service Sector that must be observed by the Ministry in making policy change or making a decision on a specific investment in the service sector.

Service commitments under the GATS are registered in schedules. Each Member of the WTO is required to have a schedule in which it registers its commitments to provide market access and national treatment to services and service suppliers of other Members. When making a commitment, a Member binds the level of market access and national treatment specified in the schedule and undertakes not to impose any new measures that would restrict entry into the market or discriminate in favour of services or services suppliers of national origin. A specific commitment thus has an effect similar to a tariff binding under the GATT. Commitments can only be withdrawn or modified after negotiation and agreement with other Members on a compensatory adjustment through which the modifying Member offers alternative commitments. However, new commitments and improvements to existing ones can be added at any time.

In nearly all schedules, commitments are divided into two sections: "horizontal" and "sector-specific" commitments. The horizontal section contains limitations which apply to all sectors included in the schedule. These often refer to particular modes of supply, notably commercial presence and movement of natural persons. The only purpose of having a section for horizontal commitments is to avoid repeating the same entry in relation to each sector contained in the schedule. Any evaluation of sector-specific commitments must therefore take into account the horizontal entries.

A schedule for the specific commitments related to the Ministry is added below. In regards to formatting, all schedules conform to a standard formula which is intended to facilitate comparative analysis. For each sector or sub-sector inscribed, the schedule must indicate, with respect to the four modes of supply set out in Articles (I, paragraph 2 GATS) any limitations on market access or national treatment which are to be maintained.

The said four modes are:

1. Cross border supply: the possibility for non-resident service suppliers to supply services cross-border into the Member's territory.
2. Consumption abroad: the freedom for the Member's residents to purchase services in the territory of another Member
3. Commercial presence: the opportunities for foreign service suppliers to establish, operate or expand a commercial presence in the Member's territory, such as a branch, agency, or wholly-owned subsidiary
4. Presence of natural persons: the possibilities offered for the entry and temporary stay in the Member's territory of foreign individuals in order to supply a service.

A commitment therefore consists of eight entries which indicate the presence or absence of market access and/or national treatment limitations with respect to each mode of supply. The first column in the standard format contains the sector or sub-sector which is the subject of the commitment; the second column contains limitations on market access; the third column contains limitations on national treatment. In the fourth column, if any, a Member may enter any additional commitments relating to matters which are not subject to scheduling under market access or national treatment including those regarding qualifications, standards or licensing matters.

Finally, Most-Favoured-Nation treatment (MFN) is a general obligation that applies to all measures affecting trade in services. MFN consists of the commitment by a Member of WTO immediately and unconditionally to accord to any other Member of the WTO all the advantages it would accord to any other country. However, particular measures inconsistent with the MFN obligation can be maintained. Such measures must have been specified in a list of MFN Exemptions submitted by the member. Jordan has submitted a list of MFN exemptions attached to the schedule of specific commitments.

Modes of supply: 1)Cross-Border supply 2)Consumption abroad 3)Commercial presence 4) Presence of natural persons

Sector or sub-sector	Limitations on market access	Limitations on national treatment	Additional commitments
A. HORIZONTAL COMMITMENTS			
All sectors included in this schedule			
		Regarding subsidies, modes (1), (2), (3) and (4) are Unbound.	
		(3) Foreign investments may not be less than JD 50,000. This does not apply to investments in public share-holding companies.	
		<u>Real Estate:</u> (3) All purchase of real estate by non-Jordanian firms must be related to the approved business activities and is subject to Cabinet authorization. Lease of real estate by non- Jordanian firms for more than three years is subject to Cabinet approval. All juridical entities are prohibited from engaging in real estate trading. <u>State Owned Land:</u> (3) Authorization for purchase or lease of state owned lands is restricted to Jordanian nationals.	
	(3) All investments in public utilities are generally subject to concession. In sectors where service provision is granted by concession, commercial establishment must be in the form of Public Shareholding Companies.		

WTO Introductory Reports

Modes of supply: 1)Cross-Border supply 2)Consumption abroad 3)Commercial presence 4)
Presence of natural persons

Sector or sub-sector	Limitations on market access	Limitations on national treatment	Additional commitments
	(4) Unbound except for measures concerning the entry and temporary stay of a natural person who falls in one of the following categories:	(4) Unbound, except for measures affecting the categories referred to under market access.	
	<p><u>Business visitors</u> A natural person who stays in Jordan without acquiring remuneration from within Jordan and without engaging in making direct sales to the general public or supplying services, for the purposes of participating in business meetings, business contacts including negotiations for the sale of services and/or other similar activities including those to prepare for establishing a commercial presence in Jordan. Entry and stay shall be for a period of 90 days.</p>		
	<p><u>Intra-Corporate Transferees</u> Natural persons employed by a juridical entity of another member for a period of not less than one year and who seek temporary stay in order to render services to (i) the same juridical entity which is engaged in substantive business operation in Jordan or (ii) a juridical entity constituted in Jordan and engaged in substantive business operation in Jordan which is owned by or controlled by or affiliated with the aforementioned juridical entity.</p>		
	<p><u>Executives</u> Natural persons who are senior employees of a juridical entity, who are responsible for the entire or a substantial part of the entity's operations in Jordan, receiving general supervision or direction principally from higher level executives, the board of directors or stock-holders of the business.</p>		

WTO Introductory Reports

Modes of supply: 1)Cross-Border supply 2)Consumption abroad 3)Commercial presence 4)
 Presence of natural persons

Sector or sub-sector	Limitations on market access	Limitations on national treatment	Additional commitments
	<p><u>Managers</u> Natural persons who direct the juridical entity, or department or sub-division of the juridical entity, supervise and control the work of supervisory, professional or managerial employees, have the authority to hire and fire or recommend hiring, firing, or other personnel actions and exercise discretionary authority over day-to-day operations at a senior level.</p> <p><u>Specialists</u> Natural persons employed by a juridical entity and possess knowledge at an advanced level of expertise and proprietary knowledge of a juridical entity product, service, research, equipment, techniques, or management.</p>		
	<p><u>Professionals</u> Natural persons seeking to engage, as part of services contract granted by a juridical entity engaged in substantive business in Jordan and obtained by a juridical entity of another Member, (other than entities providing services as defined by CPC872) which has no commercial presence in Jordan in the activity at a professional level. The person must possess the necessary academic credentials and professional qualifications, which have been duly recognized, where appropriate by the professional association in Jordan. The commitment relates only to the service activity which is the subject of the contract.</p> <p>Work permits for all categories are granted on the basis of an economic needs test, i.e. to candidates whose qualifications are not available in Jordanians or those who are seeking work in fields in which Jordanians are in short supply.</p> <p>Intra-corporate transferees who are executives, managers and specialists (as defined above) are presumed to meet the economic needs test requirements.</p>		

WTO Introductory Reports

Modes of supply: 1)Cross-Border supply 2)Consumption abroad 3)Commercial presence 4) Presence of natural persons

Sector or sub-sector	Limitations on market access	Limitations on national treatment	Additional commitments
	Temporary work and residency-permits are required. Such permits are issued for a maximum period of one year, but are renewable.		
		<u>Residency requirements:</u> (4) Managing director of a branch or juridical entity must be resident in Jordan.	

Sector or sub-sector	Limitations on market access	Limitations on national treatment
(d) Architectural services (CPC 8671) ³ (e) Engineering services (CPC 8672) (g) Urban planning and landscape architectural services (CPC 8674)	(1) None for consultation, planning or design services. However, all engineering designs and plans must be undersigned by a local engineering firm before implementation in Jordan. (2) None for consultation, planning or design services. However, all engineering designs and plans must be undersigned by a local engineering firm before implementation in Jordan. (3) Subject to 50% foreign equity limitation. Also, at least 50% of equity must be held by engineers. Otherwise, non-Jordanian engineering and architectural firms may provide services only through a contractual association with Jordanian firms for the purpose of implementing a specific project or tender. Architects, engineers, urban planners and landscape architects must be Jordanian nationals. (4) Unbound, except as indicated in the horizontal section. Architects, engineers, urban planners and landscape architects must be Jordanian nationals.	(1) None (2) None (3) Foreign firms are required to train and upgrade the technical and management skills of local employees. (4) Unbound, except as indicated in the horizontal section.

3. CONSTRUCTION AND RELATED ENGINEERING SERVICES

PT³ TPCentral Product Classification (CPC) system from the United Nations gives a detailed explanation of the service activities covered by each listed sector or sub-sector

WTO Introductory Reports

<p>A. General Construction Work for buildings (CPC 512) B. General Construction Work for Civil Engineering (CPC 513) C. Installation and Assembly Work (CPC 514 + 516) D. Building Completion and Finishing Work (CPC 517) E. Other (CPC 511, 515, 518) excluding site preparation work for mining (CPC 5115)</p>	<p>(1) Unbound* (2) None (3) Foreign equity in Jordanian construction and contracting firms is limited to 50%. Otherwise, non-Jordanian construction and contracting firms may provide services only through a contractual association with Jordanian firms for the purpose of implementing a specific project or tender. (4) Unbound, except as indicated in the horizontal section. The number of foreign engineers to be employed by a firm may not exceed twice the number of qualified Jordanian engineers employed by the same firm.</p>	<p>(1) Unbound* (2) None (3) None (4) Unbound, except as indicated in the horizontal section.</p>
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Notification commitments under GATS

GATS art.3	Each Member shall promptly and at least annually inform the Council for Trade in Services of the introduction of any new, or any changes to existing, laws, regulations or administrative guidelines which significantly affect trade in services covered by its specific commitments under this Agreement
GATS art. V (7)(a)	Members to agreement referred to in paragraph 1 art. V (agreements liberalizing trade in services between or among the parties to such an agreement) shall promptly notify any such agreement and any enlargement or any significant modification of that agreement to the Council for Trade in Services.
<i>GATS, Article XXI (1)(b) Modification of Schedules</i>	A Member shall notify its intent to modify or withdraw a commitment pursuant to this Article no later than three months before the intended date of implementation of the modification or withdrawal.
GATS art. <i>Article X(2) (Emergency Safeguard Measures)</i>	To notify any intention to modify or withdraw a specific commitment after a period of one year from the date on which the commitment enters into force; provided that the Member shows cause to the Council that the modification or withdrawal cannot await the lapse of the three-year period provided for in paragraph 1 of Article XXI.

* unbound due lack of technical feasibility

e. Ministry of Social Development

Commitments imposed upon Ministry of Social Development following to Jordan's accession to the WTO are categorized as follows:

Firstly, Rules Commitments

These commitments are stated in the Working Party Report and must be observed by relevant state bodies before making decisions, adopting policies, or taking legal measures that affect Jordan's foreign trade regime.

1. Quantitative import restrictions

Jordan is committed that it would not introduce, re-introduce or apply quantitative restrictions on imports, or other non-tariff measures such as licensing, quotas, bans, permits, prior authorization requirements, licensing requirements and other restrictions having equivalent effect that cannot be justified under the provisions of the WTO Agreement. Any amendments to the import licensing regime shall be fully in accordance with all relevant provisions of the WTO, including the Agreement on Import Licensing Procedures. Any suspension of imports and exports or applying licensing requirements that could be used to suspend, ban, or otherwise restrict the quantity of trade shall be applied in conformity with the requirements of the WTO, in particular Articles XI, XII, XIII, XVIII, XIX, XX and XXI of the GATT 1994, and Agreement on Agriculture, Application of Sanitary and Phytosanitary Measures, Import Licensing Procedures, Safeguards and Technical Barriers to Trade. Thus, in applying any policy, decision or action the Ministry shall not impose any restriction that affects imports of goods. (Working Party Report para. 88)

In regards to Other Duties and Charges, Jordan is not permitted to apply any Other Duties and Charges in addition to those that reflect the cost of services rendered in accordance with Article VIII of the GATT 1994. Further, Jordan is committed not to list any other charges in its Goods Market Access Schedule under Article II:1(b) of the GATT 1994, binding such charges at "zero". (WP report para 59)

2. Subsidies

Article XVI GATT and The Agreement on Subsidies and Countervailing Measures (SCM) discipline the use of subsidies.

SCM Agreement clarifies and complements Article XVI of the GATT 1994 on subsidies and Article VI on anti-dumping and countervailing duties. The Agreement provides greater transparency by defining the concept of subsidy and clarifying the rules for the imposition and collection of countervailing duties. This agreement does two things: it disciplines the use of subsidies, and it regulates the actions countries

can take to counter the effects of subsidies. It says a country can use the WTO's dispute settlement procedure to seek the withdrawal of the subsidy or the removal of its adverse effects. Or the country can launch its own investigation and ultimately charge extra duty (known as "countervailing duty") on subsidized imports that are found to be hurting domestic producers. A subsidy is defined by Article 1 as a financial contribution or any form of income or price support by a government or any other public body and which confers a benefit. To determine whether a benefit exists, one generally compares the situation concerned with prevailing market conditions.

Jordan is committed that any subsidy programmes shall be administered in conformity with the Agreement on Subsidies and Countervailing Measures. All necessary information on such programmes shall be notified to the Committee on Subsidies and Countervailing Measures in accordance with Article 25 of the Agreement (WP report para. 131). In the case of agricultural subsidies, Jordan is committed to bind agricultural export subsidies at zero (WP report para. 189).

3. Making and Enforcing Policies

Jordan is committed that if Jordanian laws or other acts should be found to contradict international treaties or agreements, the provisions of the international treaty or agreement, such as the WTO, would apply. (WP report para. 43)

The provisions of the WTO Agreement, including Jordan's Protocol, shall be applied uniformly throughout Jordan's customs territory and other territories under its control, including in regions engaging in border trade or frontier traffic, special economic zones, and other areas where special regimes for tariffs, taxes and regulations are established. In situation where WTO provisions were not being applied or were applied in a non-uniform manner, central authorities would act to enforce WTO provisions without requiring affected parties to petition through the courts. (WP report para. 43)

4. Pricing Policies

Art.III (1) GATT provides that WTO members recognize that internal taxes and other internal charges, and laws, regulations and requirements affecting the internal sale, offering for sale, purchase, transportation, distribution or use of products, and internal quantitative regulations requiring the mixture, processing or use of products in specified amounts or proportions, should not be applied to imported or domestic products so as to afford protection to domestic production. Paragraph 9 from the same article provides that that internal maximum price control measures can have effects prejudicial to the interests of WTO members supplying imported products. Accordingly, WTO members applying such measures shall take account of the interests of

exporting contracting parties with a view to avoiding to the fullest practicable extent such prejudicial effects.

Jordan is committed to apply the price and profitability controls in a WTO-consistent fashion, and would take account of the interests of exporting WTO Members as provided for in Article III:9 of the GATT 1994. Also, Jordan is committed to publish any list of goods and services subject to State price controls in the Official Journal, including any changes regarding existing price controls. (WP Report Para. 32)

Secondly, Services Commitments

WTO principles of freer and fairer trade apply also on services. These principles appear in the General Agreement on Trade in Services (GATS). WTO members have made individual commitments under GATS stating which of their services sectors they are willing to open to foreign competition, and how accessible those markets are.

In this Manual, Service Commitments category refers to specific commitments in the Service Sector that must be observed by the Ministry in making policy change or making a decision on a specific investment in the service sector.

Service commitments under the GATS are registered in schedules. Each Member of the WTO is required to have a schedule in which it registers its commitments to provide market access and national treatment to services and service suppliers of other Members. When making a commitment, a Member binds the level of market access and national treatment specified in the schedule and undertakes not to impose any new measures that would restrict entry into the market or discriminate in favour of services or services suppliers of national origin. A specific commitment thus has an effect similar to a tariff binding under the GATT. Commitments can only be withdrawn or modified after negotiation and agreement with other Members on a compensatory adjustment through which the modifying Member offers alternative commitments. However, new commitments and improvements to existing ones can be added at any time.

In nearly all schedules, commitments are divided into two sections: "horizontal" and "sector-specific" commitments. The horizontal section contains limitations which apply to all sectors included in the schedule. These often refer to particular modes of supply, notably commercial presence and movement of natural persons. The only purpose of having a section for horizontal commitments is to avoid repeating the same entry in relation to each sector contained in the schedule. Any evaluation of sector-specific commitments must therefore take into account the horizontal entries.

A schedule for the specific commitments related to the Ministry is added below. In regards to formatting, all schedules conform to a standard formula which is intended to facilitate comparative analysis. For each sector or sub-sector inscribed, the schedule must indicate, with respect to the four modes of

supply set out in Articles (I, paragraph 2 GATS) any limitations on market access or national treatment which are to be maintained.

The said four modes are:

1. Cross border supply: the possibility for non-resident service suppliers to supply services cross-border into the Member's territory.
2. Consumption abroad: the freedom for the Member's residents to purchase services in the territory of another Member
3. Commercial presence: the opportunities for foreign service suppliers to establish, operate or expand a commercial presence in the Member's territory, such as a branch, agency, or wholly-owned subsidiary
4. Presence of natural persons: the possibilities offered for the entry and temporary stay in the Member's territory of foreign individuals in order to supply a service.

A commitment therefore consists of eight entries which indicate the presence or absence of market access and/or national treatment limitations with respect to each mode of supply. The first column in the standard format contains the sector or sub-sector which is the subject of the commitment; the second column contains limitations on market access; the third column contains limitations on national treatment. In the fourth column, if any, a Member may enter any additional commitments relating to matters which are not subject to scheduling under market access or national treatment.

Finally, Most-Favoured-Nation treatment (MFN) is a general obligation that applies to all measures affecting trade in services. MFN consists of the commitment by a Member of WTO immediately and unconditionally to accord to any other Member of the WTO all the advantages it would accord to any other country. However, particular measures inconsistent with the MFN obligation can be maintained. Such measures must have been specified in a list of MFN Exemptions submitted by the member. Jordan has submitted a list of MFN exemptions attached to the schedule of specific commitments.

Modes of supply: 1)Cross-Border supply 2)Consumption abroad 3)Commercial presence 4) Presence of natural persons

Sector or sub-sector	Limitations on market access	Limitations on national treatment	Additional commitments
A. HORIZONTAL COMMITMENTS			
All sectors included in this schedule			
		Regarding subsidies, modes (1), (2), (3) and (4) are Unbound.	
		(3) Foreign investments may not be less than JD 50,000. This does not apply to investments in public share-holding companies.	
		<u>Real Estate:</u> (3) All purchase of real estate by non-Jordanian firms must be related to the approved business activities and is subject to Cabinet authorization.	

WTO Introductory Reports

Modes of supply: 1)Cross-Border supply 2)Consumption abroad 3)Commercial presence 4)
Presence of natural persons

Sector or sub-sector	Limitations on market access	Limitations on national treatment	Additional commitments
		<p>Lease of real estate by non- Jordanian firms for more than three years is subject to Cabinet approval.</p> <p>All juridical entities are prohibited from engaging in real estate trading.</p> <p><u>State Owned Land:</u> (3) Authorization for purchase or lease of state owned lands is restricted to Jordanian nationals.</p>	
	(3) All investments in public utilities are generally subject to concession. In sectors where service provision is granted by concession, commercial establishment must be in the form of Public Shareholding Companies.		
	(4) Unbound except for measures concerning the entry and temporary stay of a natural person who falls in one of the following categories:	(4) Unbound, except for measures affecting the categories referred to under market access.	
	<p><u>Business visitors</u> A natural person who stays in Jordan without acquiring remuneration from within Jordan and without engaging in making direct sales to the general public or supplying services, for the purposes of participating in business meetings, business contacts including negotiations for the sale of services and/or other similar activities including those to prepare for establishing a commercial presence in Jordan. Entry and stay shall be for a period of 90 days.</p> <p><u>Intra-Corporate Transferees</u> Natural persons employed by a juridical entity of another member for a period of not less than one year and who seek temporary stay in order to render services to (i) the same juridical entity which is engaged in substantive business operation in Jordan or (ii) a juridical entity constituted in Jordan and engaged in substantive business operation in Jordan which is owned by or controlled by or affiliated with the aforementioned juridical entity.</p>		

WTO Introductory Reports

Modes of supply: 1)Cross-Border supply 2)Consumption abroad 3)Commercial presence 4)
 Presence of natural persons

Sector or sub-sector	Limitations on market access	Limitations on national treatment	Additional commitments
	<p><u>Executives</u> Natural persons who are senior employees of a juridical entity, who are responsible for the entire or a substantial part of the entity's operations in Jordan, receiving general supervision or direction principally from higher level executives, the board of directors or stock-holders of the business.</p>		
	<p><u>Managers</u> Natural persons, who direct the juridical entity, or department or subdivision of the juridical entity, supervise and control the work of supervisory, professional or managerial employees, have the authority to hire and fire or recommend hiring, firing, or other personnel actions and exercise discretionary authority over day-to-day operations at a senior level.</p> <p><u>Specialists</u> Natural persons employed by a juridical entity and possess knowledge at an advanced level of expertise and proprietary knowledge of a juridical entity product, service, research, equipment, techniques, or management.</p>		
	<p><u>Professionals</u> Natural persons seeking to engage, as part of services contract granted by a juridical entity engaged in substantive business in Jordan and obtained by a juridical entity of another Member, (other than entities providing services as defined by CPC872) which has no commercial presence in Jordan in the activity at a professional level. The person must possess the necessary academic credentials and professional qualifications, which have been duly recognized, where appropriate by the professional association in Jordan. The commitment relates only to the service activity which is the subject of the contract.</p>		

WTO Introductory Reports

Modes of supply: 1)Cross-Border supply 2)Consumption abroad 3)Commercial presence 4) Presence of natural persons

Sector or sub-sector	Limitations on market access	Limitations on national treatment	Additional commitments
	<p>Work permits for all categories are granted on the basis of an economic needs test, i.e. to candidates whose qualifications are not available in Jordanians or those who are seeking work in fields in which Jordanians are in short supply.</p> <p>Intra-corporate transferees who are executives, managers and specialists (as defined above) are presumed to meet the economic needs test requirements.</p>		
	<p>Temporary work and residency-permits are required. Such permits are issued for a maximum period of one year, but are renewable.</p>		
		<p><u>Residency requirements:</u> (4) Managing director of a branch or juridical entity must be resident in Jordan.</p>	

Sector or sub-sector	Limitations on market access	Limitations on national treatment
8. HEALTH RELATED & SOCIAL SERVICES (other than those listed under 1.A.)		
Commercial presence (in mode 3) is subject to 51% foreign equity limitation. Starting no later than 1 January 2004 100% foreign equity will be permitted.		
<p>A. Hospital services (CPC⁴ 9311)</p> <p>C. Social services (CPC 933). Specifically, these are nursing homes, convalescent homes, rehabilitation centers</p>	<p>1) None</p> <p>2) None</p> <p>3) One of the owners must be a physician except in a public limited company.</p> <p>4) Unbound, except as indicated in the horizontal section. At least ¾ of physicians in any hospital or nursing or convalescent homes must be Jordanian nationals; at least ½ of all staff must be Jordanian nationals.</p>	<p>(1) None</p> <p>(2) None</p> <p>(3) None</p> <p>(4) Unbound, except as indicated in the horizontal section</p>
<p>B. Other human health services, specifically medical labs (CPC 93199)</p>	<p>(1) None</p> <p>(2) None</p> <p>(3) None, except lab. Director must be a Jordanian national.</p> <p>(4) Unbound, except as indicated in the horizontal section. Lab. director must be a Jordanian national.</p>	<p>(1) None</p> <p>(2) None</p> <p>(3) None</p> <p>(4) Unbound, except as indicated in the horizontal section.</p>

PT⁴ TP Central Product Classification (CPC) system from the United Nations gives a detailed explanation of the service activities covered by each listed sector or sub-sector

Notification Commitments under GATS

GATS art 3	Each Member shall promptly and at least annually inform the Council for Trade in Services of the introduction of any new, or any changes to existing, laws, regulations or administrative guidelines which significantly affect trade in services covered by its specific commitments under this Agreement
GATS art. V (7)(a)	Members to agreement referred to in paragraph 1 art. V (agreements liberalizing trade in services between or among the parties to such an agreement) shall promptly notify any such agreement and any enlargement or any significant modification of that agreement to the Council for Trade in Services.
<i>GATS, Article XXI (1)(b) Modification of Schedules</i>	A Member shall notify its intent to modify or withdraw a commitment pursuant to this Article no later than three months before the intended date of implementation of the modification or withdrawal.
<i>GATS art. Article X(2) (Emergency Safeguard Measures)</i>	To notify any intention to modify or withdraw a specific commitment after a period of one year from the date on which the commitment enters into force; provided that the Member shows cause to the Council that the modification or withdrawal cannot await the lapse of the three-year period provided for in paragraph 1 of Article XXI.

f. The Audiovisuals Commission

Commitments imposed upon the Audiovisuals Commission following to Jordan's accession to WTO are categorized as the following:

Firstly, Rules Commitments

This category of commitments refers to commitments stated in the Working Party Report and must be observed by relevant state bodies before making decisions, adopting policies, or taking legal measures that affect Jordan's foreign trade regime.

1. Making and Enforcing Policies

Jordan is committed that if Jordanian laws or other acts should be found to contradict international treaties or agreements, the provisions of the international treaty or agreement, such as the WTO, would apply. (WP report para. 43)

The provisions of the WTO Agreement, including Jordan's Protocol of Accession, shall be applied uniformly throughout Jordan's customs territory and other territories under its control, including in regions engaging in border trade or frontier traffic, special economic zones, and other areas where special regimes for tariffs, taxes and regulations are established. In situation where WTO provisions were not being applied or were applied in a non-uniform manner, central authorities would act to enforce WTO provisions without requiring affected parties to petition through the courts. (WP report para. 43)

2. Pricing Policies

Art.III (1) GATT provides that WTO members recognize that internal taxes and other internal charges, and laws, regulations and requirements affecting the internal sale, offering for sale, purchase, transportation, distribution or use of products, and internal quantitative regulations requiring the mixture, processing or use of products in specified amounts or proportions, should not be applied to imported or domestic products so as to afford protection to domestic production. Paragraph 9 from the same article provides that that internal maximum price control measures can have effects prejudicial to the interests of WTO members supplying imported products. Accordingly, WTO members applying such measures shall take account of the interests of exporting contracting parties with a view to avoiding to the fullest practicable extent such prejudicial effects.

Jordan is committed to apply the price and profitability controls in a WTO-consistent fashion, and would take account of the interests of exporting WTO Members as provided for in Article III:9 of the GATT 1994. Also, Jordan is committed to publish any list of goods and

services subject to State price controls in the Official Journal, including any changes regarding existing price controls. (WP Report Para. 32)

Secondly, Services Commitments.

WTO principles of freer and fairer trade apply also on services. These principles appear in the new General Agreement on Trade in Services (GATS). WTO members have made individual commitments under GATS stating which of their services sectors they are willing to open to foreign competition, and how accessible those markets are

In this Manual, Service Commitments category refers to specific commitments in the Service Sector that must be observed by the Commission in making policy change or making a decision on a specific investment in the service sector.

Service commitments under the GATS are registered in schedules. Each Member of the WTO is required to have a schedule in which it registers its commitments to provide market access and national treatment to services and service suppliers of other Members. When making a commitment, a Member binds the level of market access and national treatment specified in the schedule and undertakes not to impose any new measures that would restrict entry into the market or discriminate in favour of services or services suppliers of national origin. A specific commitment thus has an effect similar to a tariff binding under the GATT. Commitments can only be withdrawn or modified after negotiation and agreement with other Members on a compensatory adjustment through which the modifying Member offers alternative commitments. However, new commitments and improvements to existing ones can be added at any time.

In nearly all schedules, commitments are divided into two sections: "horizontal" and "sector-specific" commitments. The horizontal section contains limitations which apply to all sectors included in the schedule. These often refer to particular modes of supply, notably commercial presence and movement of natural persons. The only purpose of having a section for horizontal commitments is to avoid repeating the same entry in relation to each sector contained in the schedule. Any evaluation of sector-specific commitments must therefore take into account the horizontal entries.

A schedule for the specific commitments related to the Commission is added below. In regards to formatting, all schedules conform to a standard formula which is intended to facilitate comparative analysis. For each sector or sub-sector inscribed, the schedule must indicate, with respect to the four modes of supply set out in Articles (I, paragraph 2 GATS) any limitations on market access or national treatment which are to be maintained.

The said four modes are (in the schedule, such modes will be referred to by their red numbers):

1. Cross border supply: the possibility for non-resident service suppliers to supply services cross-border into the Member's territory.

2. Consumption abroad: the freedom for the Member's residents to purchase services in the territory of another Member
3. Commercial presence: the opportunities for foreign service suppliers to establish, operate or expand a commercial presence in the Member's territory, such as a branch, agency, or wholly-owned subsidiary
4. Presence of natural persons: the possibilities offered for the entry and temporary stay in the Member's territory of foreign individuals in order to supply a service.

A commitment therefore consists of eight entries which indicate the presence or absence of market access and/or national treatment limitations with respect to each mode of supply. The first column in the standard format contains the sector or sub-sector which is the subject of the commitment; the second column contains limitations on market access; the third column contains limitations on national treatment. In the fourth column, if any, a Member may enter any additional commitments relating to matters which are not subject to scheduling under market access or national treatment including those regarding qualifications, standards or licensing matters.

Finally, Most-Favoured-Nation treatment (MFN) is a general obligation that applies to all measures affecting trade in services. MFN consists of the commitment by a Member of WTO immediately and unconditionally to accord to any other Member of the WTO all the advantages it would accord to any other country. However, particular measures inconsistent with the MFN obligation can be maintained. Such measures must have been specified in a list of MFN Exemptions submitted by the member. Jordan has submitted a list of MFN exemptions attached to the schedule of specific commitments.

Modes of supply: 1)Cross-Border supply 2)Consumption abroad 3)Commercial presence 4) Presence of natural persons

Sector or sub-sector	Limitations on market access	Limitations on national treatment	Additional commitments
A. HORIZONTAL COMMITMENTS			
All sectors included in this schedule			
		Regarding subsidies, modes (1), (2), (3) and (4) are Unbound.	
		(3) Foreign investments may not be less than JD 50,000. This does not apply to investments in public share-holding companies.	
		<u>Real Estate:</u> (3) All purchase of real estate by non-Jordanian firms must be related to the approved business activities and is subject to Cabinet authorization. Lease of real estate by non- Jordanian firms for more than three years is subject to Cabinet approval.	

WTO Introductory Reports

Modes of supply: 1)Cross-Border supply 2)Consumption abroad 3)Commercial presence 4)
 Presence of natural persons

Sector or sub-sector	Limitations on market access	Limitations on national treatment	Additional commitments
		All juridical entities are prohibited from engaging in real estate trading. <u>State Owned Land:</u> (3) Authorization for purchase or lease of state owned lands is restricted to Jordanian nationals.	
	(3) All investments in public utilities are generally subject to concession. In sectors where service provision is granted by concession, commercial establishment must be in the form of Public Shareholding Companies.		
	(4) Unbound except for measures concerning the entry and temporary stay of a natural person who falls in one of the following categories:	(4) Unbound, except for measures affecting the categories referred to under market access.	
	<u>Business visitors</u> A natural person who stays in Jordan without acquiring remuneration from within Jordan and without engaging in making direct sales to the general public or supplying services, for the purposes of participating in business meetings, business contacts including negotiations for the sale of services and/or other similar activities including those to prepare for establishing a commercial presence in Jordan. Entry and stay shall be for a period of 90 days.		
	<u>Intra-Corporate Transferees</u> Natural persons employed by a juridical entity of another member for a period of not less than one year and who seek temporary stay in order to render services to (i) the same juridical entity which is engaged in substantive business operation in Jordan or (ii) a juridical entity constituted in Jordan and engaged in substantive business operation in Jordan which is owned by or controlled by or affiliated with the aforementioned juridical entity.		

WTO Introductory Reports

Modes of supply: 1)Cross-Border supply 2)Consumption abroad 3)Commercial presence 4)
 Presence of natural persons

Sector or sub-sector	Limitations on market access	Limitations on national treatment	Additional commitments
	<p><u>Executives</u> Natural persons who are senior employees of a juridical entity, who are responsible for the entire or a substantial part of the entity's operations in Jordan, receiving general supervision or direction principally from higher level executives, the board of directors or stock-holders of the business.</p> <p><u>Managers</u> Natural persons who direct the juridical entity, or department or sub-division of the juridical entity, supervise and control the work of supervisory, professional or managerial employees, have the authority to hire and fire or recommend hiring, firing, or other personnel actions and exercise discretionary authority over day-to-day operations at a senior level.</p> <p><u>Specialists</u> Natural persons employed by a juridical entity and possess knowledge at an advanced level of expertise and proprietary knowledge of a juridical entity product, service, research, equipment, techniques, or management.</p>		
	<p><u>Professionals</u> Natural persons seeking to engage, as part of services contract granted by a juridical entity engaged in substantive business in Jordan and obtained by a juridical entity of another Member, (other than entities providing services as defined by CPC872) which has no commercial presence in Jordan in the activity at a professional level. The person must possess the necessary academic credentials and professional qualifications, which have been duly recognized, where appropriate by the professional association in Jordan. The commitment relates only to the service activity which is the subject of the contract.</p>		

WTO Introductory Reports

Modes of supply: 1)Cross-Border supply 2)Consumption abroad 3)Commercial presence 4) Presence of natural persons

Sector or sub-sector	Limitations on market access	Limitations on national treatment	Additional commitments
	<p>Work permits for all categories are granted on the basis of an economic needs test, i.e. to candidates whose qualifications are not available in Jordanians or those who are seeking work in fields in which Jordanians are in short supply.</p> <p>Intra-corporate transferees who are executives, managers and specialists (as defined above) are presumed to meet the economic needs test requirements.</p>		
	Temporary work and residency-permits are required. Such permits are issued for a maximum period of one year, but are renewable.		
		<p><u>Residency requirements:</u> (4) Managing director of a branch or juridical entity must be resident in Jordan.</p>	

Sector or sub-sector	Limitations on market access	Limitations on national treatment
D. Audio-visual services		
<p>(a) Motion picture and video-tape production and distribution services (CPC⁵ 9611)</p> <p>(b) Motion picture projection service (CPC 9612)</p> <p>(c) Sound recording</p>	<p>(1) None</p> <p>(2) None</p> <p>(3) None, except motion picture and video-tape distribution services are subject to 50% foreign equity limitation. Director of retail outlet must be a Jordanian national.</p> <p>(4) Unbound, except as indicated in the horizontal section. Director of retail outlet must be a Jordanian national.</p>	<p>(1) None</p> <p>(2) None</p> <p>(3) None</p> <p>(4) Unbound, except as indicated in the horizontal section.</p>

Notification Commitments under GATS

GATS art. 3	Each Member shall promptly and at least annually inform the Council for Trade in Services of the introduction of any new, or any changes to existing, laws, regulations or administrative guidelines which significantly affect trade in services covered by its specific commitments under this Agreement
GATS art. V (7)(a)	Members to agreement referred to in paragraph 1 art. V (agreements liberalizing trade in services between or among the parties to such an agreement) shall promptly notify any such agreement and any enlargement or any significant modification of that agreement to the

PT⁵ TPCentral Product Classification (CPC) system from the United Nations gives a detailed explanation of the service activities covered by each listed sector or sub-sector.

WTO Introductory Reports

	Council for Trade in Services.
<i>GATS, Article XXI (1)(b) Modification of Schedules</i>	A Member shall notify its intent to modify or withdraw a commitment pursuant to this Article no later than three months before the intended date of implementation of the modification or withdrawal.
<i>GATS art. Article X(2) (Emergency Safeguard Measures)</i>	To notify any intention to modify or withdraw a specific commitment after a period of one year from the date on which the commitment enters into force; provided that the Member shows cause to the Council that the modification or withdrawal cannot await the lapse of the three-year period provided for in paragraph 1 of Article XXI.

g. Municipalities Report

Following to Jordan's accession to the WTO, municipalities' employees have to observe some commitments imposed upon Jordan. These commitments are stated in the Working Party Report and must be taken in account by the relevant agency before making decisions, adopting policies, or taking legal measures that affect Jordan's foreign trade regime. The municipalities' rules commitments are related to:

1- Framework For Making And Enforcing Policies

Jordan is committed that if Jordanian laws or other acts should be found to contradict international treaties or agreements, the provisions of the international treaty or agreement, such as the WTO, would apply. (WP report para. 43)

The provisions of the WTO Agreement, including Jordan's Protocol of Accession, shall be applied uniformly throughout Jordan's customs territory and other territories under its control, including in regions engaging in border trade or frontier traffic, special economic zones, and other areas where special regimes for tariffs, taxes and regulations are established. In situation where WTO provisions were not being applied or were applied in a non-uniform manner, central authorities would act to enforce WTO provisions without requiring affected parties to petition through the courts. (WP report para. 43)

2- Pricing Policies

Art.III GATT provides that WTO members recognize that internal taxes and other internal charges, and laws, regulations and requirements affecting the internal sale, offering for sale, purchase, transportation, distribution or use of products, and internal quantitative regulations requiring the mixture, processing or use of products in specified amounts or proportions, should not be applied to imported or domestic products so as to afford protection to domestic production. Paragraph 9 from the same article provides that that internal maximum price control measures can have effects prejudicial to the interests of WTO members supplying imported products. Accordingly, WTO members applying such measures shall take account of the interests of exporting member with a view to avoiding to the fullest practicable extent such prejudicial effects.

Jordan is committed to apply the price and profitability controls in a WTO-consistent fashion, and would take account of the interests of exporting WTO Members as provided for in Article III:9 of the GATT 1994. Also, Jordan is committed to publish any list of goods and services subject to State price controls in the Official Journal, including any changes regarding existing price controls. (WP Report Para. 32)

3- Quantitative import restrictions

Jordan is committed that it would not introduce, re-introduce or apply quantitative restrictions on imports, or other non-tariff measures such as licensing, quotas, bans, permits, prior authorization requirements, licensing requirements and other restrictions having equivalent effect that cannot be justified under the provisions of the WTO Agreement. Any amendments to the import licensing regime shall be fully in accordance with all relevant provisions of the WTO, including the Agreement on Import Licensing Procedures. Any suspension of imports and exports or applying licensing requirements that could be used to suspend, ban, or otherwise restrict the quantity of trade shall be applied in conformity with the requirements of the WTO, in particular Articles XI, XII, XIII, XVIII, XIX, XX and XXI of the GATT 1994, and Agreement on Agriculture, Application of Sanitary and Phytosanitary Measures, Import Licensing Procedures, Safeguards and Technical Barriers to Trade. Thus, in applying any policy, decision or action the Municipality shall not impose any restriction that affect imports of goods. (Working Party Report para. 88)

Finally, in regards to Other Duties and Charges, Jordan is not permitted to apply any Other Duties and Charges in addition to those that reflect the cost of services rendered in accordance with Article VIII of the GATT 1994. Further, Jordan is committed not to list any other charges in its Goods Market Access Schedule under Article II:1(b) of the GATT 1994, binding such charges at "zero". (WP report para 59)

A) Trading Rights,

Jordan is committed to make its laws, regulations and requirements relating to the right to import and export and all fees, charges or taxes levied on such rights in full conformity with its WTO obligations, including:

- GATT VIII:1(a) : that all fees and charges of whatever character (other than import and export duties and other than taxes within the purview of Article III) imposed by members on or in connection with importation or exportation shall be limited in amount to the approximate cost of services rendered and shall not represent an indirect protection to domestic products or a taxation of imports or exports for fiscal purposes.
- GATT XI:1 : that no prohibitions or restrictions other than duties, taxes or other charges shall be instituted or maintained by any member on the importation of any product of the territory of any other member or on the exportation or sale for export of any product destined for the territory of any other member.
- Art. III:2 and 4 of the GATT: (National Treatment) The products of the territory of any member imported into the territory of any other member shall not be subject, directly or indirectly, to internal taxes or other internal charges of any kind in excess of those applied, directly or indirectly, to like domestic products.

Further, the products of the territory of any member imported into the territory of any other member shall be accorded treatment no less favourable than that accorded to like products of national origin in respect of all laws, regulations and requirements affecting their internal sale, offering for sale, purchase, transportation, distribution or use.

h. Customs Department Report

Further to Jordan's accession to the WTO, Customs Department has become concerned with various types of commitments imposed upon Jordan. These commitments are categorized as follows:

Firstly: Rules Commitments

This kind of commitments refers to commitments stated in the Working Party Report and must be taken in account by the relevant agency before making decisions, adopting policies, or taking legal measures that affect Jordan's foreign trade regime. The Customs Department's rules commitments are related to:

1. Quantitative import restrictions

Jordan is committed that it would not introduce, re-introduce or apply quantitative restrictions on imports, or other non-tariff measures such as licensing, quotas, bans, permits, prior authorization requirements, licensing requirements and other restrictions having equivalent effect that cannot be justified under the provisions of the WTO Agreement. Any amendments to the import licensing regime shall be fully in accordance with all relevant provisions of the WTO, including the Agreement on Import Licensing Procedures. Any suspension of imports and exports or applying licensing requirements that could be used to suspend, ban, or otherwise restrict the quantity of trade shall be applied in conformity with the requirements of the WTO, in particular Articles XI, XII, XIII, XVIII, XIX, XX and XXI of the GATT 1994, and Agreement on Agriculture, Application of Sanitary and Phytosanitary Measures, Import Licensing Procedures, Safeguards and Technical Barriers to Trade. Thus, in applying any policy, decision or action the Customs Department shall not impose any restrictions that may affect imports of goods. (Working Party Report para. 88)

In regards to Other Duties and Charges, Jordan enacted Law No. 7 on Unifying Other Taxes and Fees in March 1997(which was amended in 2000), consolidating all other import duties and charges into the ordinary rate of customs duty. The fees and taxes that had been incorporated into customs duties included a consolidated surcharge (6 per cent); the municipalities and universities fees (2 per cent and 4 per cent, respectively); the 1969 surcharge tax (5 per cent on items exempt from customs duty, 3 per cent on dutiable items); and a 5 per cent import fee.

Jordan is committed not to apply any Other Duties and Charges in addition to those that reflect the cost of services rendered in accordance with Article VIII of the GATT 1994. Further, Jordan is committed not to list any other charges in its Goods Market Access Schedule under Article II:1(b) of the GATT 1994, binding such charges at "zero". (WP report para 59)

2. Customs Tarrifs

Jordan committed to bind all of its tariff. The Customs Tariff Council (The Ministry of Finance, the Customs Department, the Ministry of Industry and Trade) may not set customs duties on imports above the bound rate except as permitted under the WTO agreements (Balance-of-payments reasons-approval of IMF required and safeguard measure-for a temporary period of time) or after re-negotiation with WTO Members (countries whose export will be affected by such change and countries who were granted INR-Initial Negotiations Rights); In any case, compensation may be required when duties are set above bound rate.

Binding tariffs means members' commitments not to increase tariffs above the listed rates — the rates are “bound”. For developed countries, the bound rates are generally the rates actually charged. Most developing countries have bound the rates somewhat higher than the actual rates charged, so the bound rates serve as ceilings.

Countries can break a commitment (i.e. raise a tariff above the bound rate), but only with difficulty. To do so they have to negotiate with the countries most concerned and that could result in compensation for trading partners' loss of trade

3. Tariffs exemptions:

In Jordan tariff exemptions had been granted for basic production inputs, basic food products, necessary health and medical goods, and capital goods and equipment for agriculture and industry.

The Customs Law No. 20 of 1998 had cancelled all import duty exemptions for government-owned firms and government institutions (except grants and donations). Duty exemptions remained for 10 companies in accordance with agreements with the Government or concessions, granted at the time of their establishment. The import duty exemptions were set to expire automatically on the date stipulated in the concessions and agreements. The beneficiaries were share holding companies with significant private participation - the Jordan Phosphate Mines Co. Ltd., the Jordan Petroleum Refinery Company, the Jordan Cement Factories Company, the Arab Bridge Maritime Company, the Arab Potash Company, the Jordanian Electric Company, the Irbid Governorate Electric Company, the Jordanian Tanning Company, the Vegetable Oil Industries Co. Ltd., and the Arab Company for Manufacturing White Cement. The products subject to import duty exemptions were used by the exempted companies for production and operations purposes. The following goods imported by these companies were not exempt from import duties: cars and spare parts, tyres, petroleum products, vans and buses and their spare parts, stationery, computer devices, air-conditioners, hand tools, consumption

materials, goods and materials used for housing employees, and products similar to Jordanian products. These companies were not exempt from income tax, and the tariff exemptions were not contingent upon export performance. Jordan has committed to not renew the above mentioned exemptions.

Jordan is committed that the exemptions on customs duties for the above 10 companies shall not be renewed after their expiry dates. (WP Report Paragraph 63)

4. Preshipment Inspection

Preshipment inspection is the practice of employing specialized private companies (or “independent entities”) to check shipment details — essentially price, quantity and quality — of goods ordered overseas. Used by governments of developing countries, the purpose is to safeguard national financial interests (commercial fraud and customs duty evasion, for instance) and to compensate for inadequacies in administrative infrastructures.

The Preshipment Inspection Agreement recognizes that GATT principles and obligations apply to the activities of preshipment inspection agencies mandated by governments. The obligations placed on governments which use preshipment inspections include non-discrimination, transparency, protection of confidential business information, avoiding unreasonable delay, the use of specific guidelines for conducting price verification and avoiding conflicts of interest by the inspection agencies. The obligations of exporting members towards countries using preshipment inspection include non-discrimination in the application of domestic laws and regulations, prompt publication of those laws and regulations and the provision of technical assistance where requested.

Jordan is committed that if it is engaged the services of a pre-shipment inspection with a service provider Jordan would ensure that the requirements of the Agreement on Preshipment Inspection were implemented in full. Jordan is committed to ensure that the operations of any such preshipment inspection firm meet WTO norms, including the establishment of charges and fees consistent with Article VIII of the GATT 1994, observance of due process and the transparency requirements of the relevant WTO Agreements, in particular Article X of the GATT 1994, the Agreement on Preshipment Inspection and the Agreement on the Implementation of Article VII of the GATT 1994, as well as the substantive provisions of these Agreements.

5. Framework For Making And Enforcing Policies

Jordan is committed that if Jordanian laws or other acts should be found to contradict international treaties or agreements, the provisions

of the international treaty or agreement, such as the WTO, would apply. (WP report para. 43)

The provisions of the WTO Agreement, including Jordan's Protocol of Accession, shall be applied uniformly throughout Jordan's customs territory and other territories under its control, including in regions engaging in border trade or frontier traffic, special economic zones, and other areas where special regimes for tariffs, taxes and regulations are established. In situation where WTO provisions were not being applied or were applied in a non-uniform manner, central authorities would act to enforce WTO provisions without requiring affected parties to petition through the courts. (WP report para. 43)

6. Free zones, special economic areas

Jordan is committed to subject free zones or free economic zones in Jordan to the commitments taken in the Protocol of Accession, and to ensure enforcement of its WTO obligations in those zones, including those commitments derived from the TRIPS Agreement. It is also committed that, when goods produced or imported into the zones under the special tax and tariff regime existing in these areas enter into the rest of Jordan, normal customs formalities, tariffs and taxes would be applied (WP Report 164)

Secondly: Legal Commitments

Jordan is committed to revise its Customs Law to make it compatible with WTO requirements, ensuring transparency and simplified customs procedures. A new Customs Law, replacing the Customs Law of 1983, had been published on 1 October 1998.

The Customs Law No. 20 of 1998 had been reviewed to assess its WTO conformity. Although the Customs Law No. 20 of 1998 largely conformed to WTO requirements, certain amendments were needed in order to bring it into full conformity. These amendments dealt with

(i) Non-preferential rules of origin:

"Rules of origin" are the criteria used to define where a product was made. They are an essential part of trade rules because a number of policies discriminate between exporting countries: quotas, preferential tariffs, anti-dumping actions, countervailing duty (charged to counter export subsidies), and more. Rules of origin are also used to compile trade statistics, and for "made in ..." labels that are attached to products.

The **Rules of Origin Agreement** requires WTO members to ensure that their rules of origin are transparent; that they do not have restricting, distorting or disruptive effects on international trade; that they are administered in a consistent, uniform, impartial and reasonable manner; and that they are based on a positive standard. The agreement aims for

common (“harmonized”) rules of origin among all WTO members, except in some kinds of preferential trade — for example, countries setting up a free trade area are allowed to use different rules of origin for products traded under their free trade agreement.

Articles 24-26 from Jordan's Customs Law were substantially revised to incorporate the WTO Harmonized Rules of Origin.

(ii) customs valuation

Customs valuation is considered as a Non-tariff barrier that may harden international trade. For importers, the process of estimating the value of a product at customs presents problems that can be just as serious as the actual duty rate charged. The WTO aims to create a fair, neutral and uniform system for the valuation of goods, for customs purposes, in order to avoid arbitrary customs values that may harden international trade and fair competition.

Originally, the issue of customs valuation is dealt with under article VII of GATT. The said article provides that the contracting parties recognize the validity of the general principles of valuation set forth in the Article, and they undertake to give effect to such principles, in respect of all products subject to duties or other charges or restrictions on importation and exportation based upon or regulated in any manner by value. Moreover, they shall, upon a request by another contracting party review the operation of any of their laws or regulations relating to value for customs purposes in the light of these principles.

Moreover, there is a separate agreement (Agreement on Implementation Art. VII of GATT 1994, Customs Valuation) expands and clarifies the customs valuation rules under art. VII. The agreement provides that the primary basis for calculating the customs shall be the "transaction value" of the imported good. The term of "transaction value", as defined under art.1, refers to the total payment made or to be made by the buyer to the seller for the imported goods. The agreement provides other bases for determining the customs value where it cannot be determined on the basis of the transaction value of the imported goods or of identical or similar imported goods.

The Customs Law No.20 for the year 1998 has been amended three times. The latest amendment was by Law No. 16 for the year 2000. Under this amendment, a set of rules (Arts. 28-31 of the Customs Law as amended) for customs valuation was established in accordance with the WTO requirements.

The amended Customs Law provides that customs value of imported goods shall be the transaction value, that is the price actually paid or payable for the goods (art.28). In determining the customs value, the following costs shall be added to the extent that they are not included in the price actually paid or payable for the imported goods:-

1. Commission and brokerage, except buying commission.
2. The cost of containers which are treated as being for customs purposes part of the goods.
3. The cost of packing whether for labour or materials.
4. The value of the following goods and services where supplied directly or indirectly by the buyer free of charge or at reduced cost for use in connection with the production of the imported goods:-
 - Materials, components and parts incorporated in the imported goods.
 - Tools, dies and molds used in the production of the imported goods.
 - Materials consumed in the production of the imported goods.
 - Engineering, development, artwork, design work, and plans and sketches carried out elsewhere than in the Kingdom and necessary for the production of the imported goods.
5. Royalties and license fees of using intellectual property right related to the goods being valued that the buyer must pay, either directly or indirectly, as a condition of sale of the goods.
6. The value of any part of the proceeds of any subsequent resale, disposal or use of the imported goods that accrues directly or indirectly to the seller.
7. The cost of transport of the imported goods to the port or place of importation.
8. Loading, unloading, handling and insurance charges associated with the transport of the imported goods to the port or place of importation

Whenever the customs value cannot be determined under the above mentioned way, then it shall be determined in accordance with items (A-D) of Article 30 according to the order shown therein and by applying methods successively until determining the customs value in accordance with the first possible method.

Finally, following to art.31 (i) The Director General of the Customs Department has issued Instructions of Customs Valuation No.6 for the year 2000. The Instructions provide interpretive notes, calculating customs value for software programs and rules to exclude charged interest from the custom value. The Instructions have been in force since the first of August in 2000.

(iii) customs user fees, to include a provision ensuring that customs user fees reflected the cost of services rendered in accordance with Article VIII of GATT 1994;

(iv) Border Enforcement of Intellectual Property

Under Part III of the TRIPS Agreement, there are provisions for enforcement of Intellectual Property Rights (IPRs). The emphasis in the enforcement part of the TRIPS Agreement is on internal enforcement mechanisms, which, if effective, would enable infringing activity to be stopped at source, the point of production. Where possible, this is both a

more efficient way of enforcing IPRs and less liable to give rise to risks of discrimination against imports than special border measures. However, the Agreement recognizes that such enforcement at source will not always be possible and that in any event not all countries are Members of the TRIPS Agreement. The Agreement therefore also recognizes the importance of border enforcement procedures that will enable right holders to obtain the cooperation of customs administrations so as to prevent the release of infringing imports into free circulation. The special requirements related to border measures are contained in Section 4 of the enforcement part of the Agreement.

According to Article 51 of the Agreement, the goods which must be subject to border enforcement procedures must include at least counterfeit trademark and pirated copyright goods that are being presented for importation. The Article leaves flexibility to Member governments on whether to include imports of goods which involve other infringements of IPRs. Art.41 of Jordan's Custom Law provides a wide protection to intellectual property rights by enabling the right holder to apply for the competent court to stop the clearing procedures and seize goods that constitute any kind of infringement of IPRs. Under paragraph (d) from the same article the Director of Jordan's Custom department has the power to seize, without an application from the right holder, the clearance procedures of goods when he has clear evidences that the goods constitute infringement of copy rights and trade marks.

In accordance with Article 60 of TRIPS, Members may exclude from the application of these procedures *de minimis* imports, i.e. small quantities of goods of a non-commercial nature contained in travellers' personal luggage or sent in small consignments. Also, article 51 of TRIPS leaves it to Members to decide whether to apply corresponding procedures to the suspension by customs authorities of infringing goods destined for exportation from their territories, or to goods in transit. In deed, Jordan's Custom Law has applied these exceptions for border protections under art.41 (g).

On the first of October 2000, Jordan has issued Instructions for Border Protection of Intellectual Property Rights. The Instructions clarify and expands the border protection rules set under article 41 of Customs Law.

- (v) Countervailing duty and safeguard measures, the language in Article 15 of Customs Law was amended because Jordan had enacted a Law on safeguards and Regulations on countervailing measures.

- (vi) Eliminating consular fees

Further to Jordan's commitment to eliminate the consular fees, Jordan cancelled the Regulations on Consular Services Fees No.1 for the year 1989 and issued and new regulations (Regulations on Consular Services Fees for the year 2000). The new Regulations have decreased substantially the consular fees in member countries at the WTO. Art.2 of the Regulation imposes 21 JD fixed fees for confirmation of commercial documents in any country member to the WTO.

Thirdly: Notification Commitments

This category refers to notifications that the Customs Department is concerned with under the WTO. The Customs Department has to prepare a draft of notification in coordination with Ministry of Industry and Trade which is the focal point in submitting notifications to the WTO

Notification Requirement	Type of Measure
Agreement on Preshipment Inspection, Article 5 – first time	Laws/regulations by which the Agreement is put into force for the Member concerned, as well as any other laws/ regulations relating to preshipment inspection
Agreement on Implementation of Article VII of GATT 1994, Article 22.2	Changes in its laws/regulations and administrative arrangements (Concerning the languages of notification with respect to Article 22: Document to be issued by Committee on Customs Valuation).
Agreement on Implementation of Article VII of GATT 1994, Article 22	Notification of national legislation
Agreement on Implementation of Article VII of GATT 1994 Decision on checklist of issues (taken by the WTO Committee on 12 May 1995 and 25 April 1996)	Responses to the checklist of issues
Agreement on Implementation of Article VII of GATT 1994 Decision on the treatment of interest charges in the customs value of imported goods (G/VAL/5 para.A.3 adopted by the WTO Committee on 12 May 1995)	Date from which the Member will apply the Decision
Agreement on Implementation of Article VII of GATT 1994 Decision on the valuation of carrier media bearing software for data processing equipment (G/VAL/5 para.A.4 – adopted by the WTO Committee on 12 May 1996)	Date of application of the practice referred to in paragraph 2 of the Decision
TRIPS Agreement, Article 63.2	Laws / regulations made effective by the notifying Member (pertaining to the availability, scope, acquisition, enforcement and prevention of the abuse of intellectual property rights)
TRIPS Agreement, Article 69	Specification of contact points
Agreement on Subsidies and Countervailing Measures, Article 32.6	Laws/regulations and changes thereto, including changes in the administration of such laws (concerning the languages of notification for Article 32.6, see document G/SCM/N/1)
Agreement on Implementation of Article VI of the GATT 1994, Article 16.5	Investigations: authorities competent to initiate and conduct investigations referred to in AIA VI Article 16.5, and domestic procedures governing the initiation and conduct of such investigations
Agreement on Implementation of Article VI of the GATT 1994, Article 18.5	Laws/regulations and changes thereto, including changes in the administration of such laws (concerning the languages of notification under Article 18.5, see document G/ADP/N/1)
Agreement on Subsidies and Countervailing Measures, Article 25.12	Authorities competent to initiate and conduct countervailing duty investigations referred to in ASCM Article 11 and domestic procedures governing the initiation and conduct of such investigations
Agreement on Rules of Origin, Article 5.1	Existing non-preferential rules of origin; judicial decisions and administrative rulings of general application relating to non-preferential rules of origin
Agreement on Rules of Origin, Annex II, paragraph 4 – first time	Existing preferential rules of origin; judicial decisions and administrative rulings of general application relating to preferential rules of origin

WTO Introductory Reports

Notification Requirement	Type of Measure
Regional arrangements Understanding on the Interpretation of Article XXIV of the GATT 1994, paragraph 11	Customs Unions and Free Trade Areas
Regional arrangements Decisions of the CONTRACTING PARTIES (BISD 18S/37, 38 paragraph 4)	Examination every two years of reports on the preferential agreements

i. Jordan Investment Board

Jordan Investment Board (JIB) has to observe certain commitments imposed upon Jordan further to its accession to the WTO. Those Commitments are categorized as follows:

Firstly: Rules Commitments

This category of commitments refers to commitments stated in the Working Party Report and must be observed by relevant state bodies before making decisions, adopting policies, or taking legal measures that affect Jordan's foreign trade regime.

Rules Commitments imposed upon JIB could be simplified as the following:

A) Trade-Related Investment Measures (TRIMS)

Under WTO system there is the Trade-Related Investment Measures (TRIMS) agreement which requires the contracting parties to recognize certain investment measures restrict and distort trade. It provides that no contracting party shall apply any investment measure inconsistent with Articles III (national treatment) and XI (prohibition of quantitative restrictions) of the GATT. To this end, an illustrative list of TRIMs agreed to be inconsistent with these articles is appended to the agreement. The list includes measures which require particular levels of local procurement by an enterprise ("local content requirements") or which restrict the volume or value of imports such an enterprise can purchase or use to an amount related to the level of products it exports ("trade balancing requirements").

The agreement requires mandatory notification of all non-conforming TRIMs and their elimination within two years for developed countries, within five years for developing countries and within seven years for least-developed countries. It establishes a Committee on TRIMs which will, among other things, monitor the implementation of these commitments. The agreement also provides for consideration, at a later date, of whether it should be complemented with provisions on investment and competition policy more broadly.

Jordan is committed not to maintain any measures inconsistent with the TRIMs Agreement. The government applied the principle of national treatment and did not resort to performance requirements which could affect trade. Consequently, Jordan does not maintain any measures inconsistent with the TRIMs Agreement

B) Free Zones

Jordan is committed to subject free zones or free economic zones in Jordan to the commitments taken in the Protocol of Accession, and to ensure enforcement of its WTO obligations in those zones, including those

commitments derived from the TRIPS Agreement. It is also committed that, when goods produced or imported into the zones under the special tax and tariff regime existing in these areas enter into the rest of Jordan, normal customs formalities, tariffs and taxes would be applied (WP Report 164)

C) Making and Enforcing Policies

Jordan is committed that if Jordanian laws or other acts should be found to contradict international treaties or agreements, the provisions of the international treaty or agreement, such as the WTO, would apply. (WP report para. 43)

The provisions of the WTO Agreement, including Jordan's Protocol, shall be applied uniformly throughout Jordan's customs territory and other territories under its control, including in regions engaging in border trade or frontier traffic, special economic zones, and other areas where special regimes for tariffs, taxes and regulations are established. In situation where WTO provisions were not being applied or were applied in a non-uniform manner, central authorities would act to enforce WTO provisions without requiring affected parties to petition through the courts. (WP report para. 43)

D) Pricing Policies

Art.III(1) GATT provides that WTO members recognize that internal taxes and other internal charges, and laws, regulations and requirements affecting the internal sale, offering for sale, purchase, transportation, distribution or use of products, and internal quantitative regulations requiring the mixture, processing or use of products in specified amounts or proportions, should not be applied to imported or domestic products so as to afford protection to domestic production. Paragraph 9 from the same article provides that that internal maximum price control measures can have effects prejudicial to the interests of WTO members supplying imported products. Accordingly, WTO members applying such measures shall take account of the interests of exporting contracting parties with a view to avoiding to the fullest practicable extent such prejudicial effects.

Jordan is committed to apply the price and profitability controls in a WTO-consistent fashion, and would take account of the interests of exporting WTO Members as provided for in Article III:9 of the GATT 1994. Also, Jordan is committed to publish any list of goods and services subject to State price controls in the Official Journal, including any changes regarding existing price controls. (WP Report Para. 32)

E) Export Subsidies:

Article XVI GATT and The Agreement on Subsidies and Countervailing Measures (SCM) discipline the use of subsidies

SCM Agreement clarifies and complements Article XVI of the GATT 1994 on subsidies and Article VI on anti-dumping and countervailing duties. The Agreement provides greater transparency by defining the concept of subsidy and clarifying the rules for the imposition and collection of countervailing duties. This agreement does two things: it disciplines the use of subsidies, and it regulates the actions countries can take to counter the effects of subsidies. It says a country can use the WTO's dispute settlement procedure to seek the withdrawal of the subsidy or the removal of its adverse effects. Or the country can launch its own investigation and ultimately charge extra duty (known as "countervailing duty") on subsidized imports that are found to be hurting domestic producers. A subsidy is defined by Article 1 as a financial contribution or any form of income or price support by a government or any other public body and which confers a benefit. To determine whether a benefit exists, one generally compares the situation concerned with prevailing market conditions.

Jordan is committed that any subsidy programmes shall be administered in conformity with the Agreement on Subsidies and Countervailing Measures. All necessary information on such programmes shall be notified to the Committee on Subsidies and Countervailing Measures in accordance with Article 25 of the Agreement (WP report para. 131). In the case of agricultural subsidies, Jordan is committed to bind agricultural export subsidies at zero (WP report para. 189).

In regards to domestic support, there are, under the Agriculture Agreement, two categories of domestic support — support with no, or minimal, distortive effect on trade on the one hand (often referred to as "Green Box" measures) and trade-distorting support on the other hand (often referred to as "Amber Box" measures). For example, government provided agricultural research or training is considered to be of the former type, while government buying-in at a guaranteed price ("market price support") falls into the latter category. Under the Agreement on Agriculture, all domestic support in favour of agricultural producers is subject to rules. In addition, the aggregate monetary value of Amber Box measures is, with certain exceptions, subject to reduction commitments as specified in the schedule of each WTO Member providing such support. The reduction commitments are expressed in terms of a "Total Aggregate Measurement of Support" (Total AMS) which includes all product-specific support and non-product-specific support in one single figure. Members with a Total AMS have to reduce base period support by 20 per cent over 6 years (developed country Members) or 13 per cent over 10 years (developing country Members). In any year of the implementation period, the Current Total AMS value of non-exempt measures must not exceed the scheduled Total AMS limit as specified in the schedule for that year. In other words, the maximum levels of such support are bound in the WTO. Jordan had AMS of JD 1,539,199 and Jordan is committed to reduce this by 13.3 per cent over seven years from the date of accession.

To sum up, the relevant state bodies in Jordan (the Ministry of Agriculture, the Ministry of Finance, the Central Bank, and the JIB) must observe the following:

- Any subsidy programme shall be administered in conformity with the Agreement on Subsidies and Countervailing Measures.
- No subsidies contingent upon export (export subsidies) for agricultural products
- Domestic support may not exceed 10% of total value of agricultural output
- The total Aggregate Measure of Support (estimated at JD 1,539,199 during period 1994-1996) must be reduced by 13.3% over a period of 7 years from the date of accession.

Secondly, Legal Commitments:

This category refers to laws, regulations, instructions, and decision that must be enacted, amended or cancelled in order to conform to the WTO requirements.

In Jordan, Commercial trade could be effected by companies or sole proprietorships having specified "engaging in trade activities" among their objectives at the time of registration. According to the Non-Jordanian Investment Promotion Regulation for 1997, foreign equity in a Jordanian company engaged in trade and trading services (including distribution services and import/export for commercial purposes) could not exceed 50 per cent. In addition, foreign investors in a Jordanian trade and trading services company are required to deposit minimum JD 50,000 with a Jordanian bank to effect the registration of such a company (except for public share holding companies). A foreign company, such as a branch of a company incorporated abroad, could be registered for trade and trading services in Jordan, in which case the minimum capital requirement of JD 50,000 would not apply.

Jordan committed to cancel the above mentioned Regulation and issued a new Regulation called Regulating Non-Jordanian Investments Regulations No. 54 for the year 2000.

The new Regulation has abolished the general restriction on foreign equity in a Jordanian company engaged in trade and trading services. However, the new regulation has maintained the restriction on foreign equity in certain commercial activities.

Following to Jordan's accession to WTO, Jordan is committed conform to the WTO rules on non-discrimination and fair competition. Art. III:4 GATT provides that the products of the territory of any contracting party imported into the territory of any other contracting party shall be accorded treatment no less favourable than that accorded to like products of national origin in respect of all laws, regulations and requirements affecting their internal sale, offering for sale, purchase, transportation, distribution or use. Further, art.XI GATT provides that No prohibitions or restrictions other than duties, taxes or other

charges, whether made effective through quotas, import or export licences or other measures, shall be instituted or maintained by any contracting party on the importation of any product of the territory of any other contracting party or on the exportation or sale for export of any product destined for the territory of any other contracting party.

Thus, Jordan is committed to amend its legislations in order (i) to permit majority foreign ownership in the insurance, banking, and courier services, (ii) to ensure transparency with regard to specific service sectors subject to foreign participation, and (iii) to permit foreign firms including sole proprietorships to register as importers without limitation on equity or application of an economic needs test, including branches of foreign firms permanently registered in Jordan (resulting from service negotiations)

Thirdly, Notification Commitments

This category refers to notifications that the JIB is concerned with under the WTO. The JIB has to prepare a draft of notification in coordination with Ministry of Industry and Trade which is the focal point in submitting notifications to the WTO.

Notification Requirement	Type of Measure
Agreement on Trade-Related Investment Measures, Article 5.1	Trade-related investment measures (TRIMs) introduced 180 days or more before the date of entry into force of the WTO Agreement which are inconsistent with the provisions of Article III or Article XI of GATT 1994 and not justified under exceptions to GATT 1994.
GATS art. III (3)	Each Member shall promptly and at least annually inform the Council for Trade in Services of the introduction of any new, or any changes to existing, laws, regulations or administrative guidelines which significantly affect trade in services covered by its specific commitments under this Agreement.
GATS art. V (7)(a)	Members to agreement referred to in paragraph 1 art. V (agreements liberalizing trade in services between or among the parties to such an agreement) shall promptly notify any such agreement and any enlargement or any significant modification of that agreement to the Council for Trade in Services.
<i>GATS, Article XXI (1)(b) Modification of Schedules</i>	A Member shall notify its intent to modify or withdraw a commitment pursuant to this Article no later than three months before the intended date of implementation of the modification or withdrawal.
GATS art. <i>Article X(2) (Emergency Safeguard Measures)</i>	To notify any intention to modify or withdraw a specific commitment after a period of one year from the date on which the commitment enters into force; provided that the Member shows cause to the Council that the modification or withdrawal cannot await the lapse of the three-year period provided for in paragraph 1 of Article XXI.
Agreement on Subsidies and Countervailing Measures (SCM) Art. 25.2	Members shall notify any subsidy as defined in paragraph 1 of Article 1, which is specific within the meaning of Article 2, granted or maintained within their territories
Agreement on Subsidies and Countervailing Measures (SCM) Art. 25.12	Each Member shall notify the Committee (a) which of its authorities are competent to initiate and conduct investigations referred to in Article 11 and (b) its domestic procedures governing the initiation and conduct of such investigations.

Fourthly, Services Commitments:

WTO principles of freer and fairer trade apply also on services. These principles appear in the General Agreement on Trade in Services (GATS). WTO members have made individual commitments under GATS stating which of their services sectors they are willing to open to foreign competition, and how accessible those markets are.

In this Manual, Service Commitments category refers to specific commitments in the Service Sector that must be observed by the JIB in making policy change or making a decision on a specific investment in the service sector.

Services commitments under the GATS are registered in schedules. Each Member of the WTO is required to have a schedule in which it registers its commitments to provide market access and national treatment to services and service suppliers of other Members. When making a commitment, a Member binds the level of market access and national treatment specified in the schedule and undertakes not to impose any new measures that would restrict entry into the market or discriminate in favour of services or services suppliers of national origin. A specific commitment thus has an effect similar to a tariff binding under the GATT. Commitments can only be withdrawn or modified after negotiation and agreement with other Members on a compensatory adjustment through which the modifying Member offers alternative commitments. However, new commitments and improvements to existing ones can be added at any time.

In nearly all schedules, commitments are divided into two sections: "horizontal" and "sector-specific" commitments. The horizontal section contains limitations which apply to all sectors included in the schedule. These often refer to particular modes of supply, notably commercial presence and movement of natural persons. The only purpose of having a section for horizontal commitments is to avoid repeating the same entry in relation to each sector contained in the schedule. Any evaluation of sector-specific commitments must therefore take into account the horizontal entries.

A schedule for the specific commitments related to the JIB is added below. In regards to formatting, all schedules conform to a standard formula which is intended to facilitate comparative analysis. For each sector or sub-sector inscribed, the schedule must indicate, with respect to the four modes of supply set out in Articles (I, paragraph 2 GATS) any limitations on market access or national treatment which are to be maintained.

The said four modes are:

- 1- Cross border supply: the possibility for non-resident service suppliers to supply services cross-border into the Member's territory.
- 2- Consumption abroad: the freedom for the Member's residents to purchase services in the territory of another Member
- 3- Commercial presence: the opportunities for foreign service suppliers to establish, operate or expand a commercial presence in the

Member's territory, such as a branch, agency, or wholly-owned subsidiary

- 4- Presence of natural persons: the possibilities offered for the entry and temporary stay in the Member's territory of foreign individuals in order to supply a service.

A commitment therefore consists of eight entries which indicate the presence or absence of market access and/or national treatment limitations with respect to each mode of supply. The first column in the standard format contains the sector or sub-sector which is the subject of the commitment; the second column contains limitations on market access; the third column contains limitations on national treatment. In the fourth column, if any, a Member may enter any additional commitments relating to matters which are not subject to scheduling under market access or national treatment including those regarding qualifications, standards or licensing matters.

Finally, Most-Favoured-Nation treatment (MFN) is a general obligation that applies to all measures affecting trade in services. MFN consists of the commitment by a Member of WTO immediately and unconditionally to accord to any other Member of the WTO all the advantages it would accord to any other country. However, particular measures inconsistent with the MFN obligation can be maintained. Such measures must have been specified in a list of MFN Exemptions submitted by the member. Jordan has submitted a list of MFN exemptions attached to the schedule of specific commitments.

WTO Introductory Reports

Modes of supply: 1)Cross-Border supply 2)Consumption abroad 3)Commercial presence 4) Presence of natural persons

Sector or sub-sector	Limitations on market access	Limitations on national treatment	Additional commitments
A. HORIZONTAL COMMITMENTS			
All sectors included in this schedule			
		Regarding subsidies, modes (1), (2), (3) and (4) are Unbound.	
		(3) Foreign investments may not be less than JD 50,000. This does not apply to investments in public shareholding companies.	
		<u>Real Estate:</u> (3) All purchase of real estate by non-Jordanian firms must be related to the approved business activities and is subject to Cabinet authorization. Lease of real estate by non- Jordanian firms for more than three years is subject to Cabinet approval. All juridical entities are prohibited from engaging in real estate trading. <u>State Owned Land:</u> (3) Authorization for purchase or lease of state owned lands is restricted to Jordanian nationals.	
	(3) All investments in public utilities are generally subject to concession. In sectors where service provision is granted by concession, commercial establishment must be in the form of Public Shareholding Companies.		
	(4) Unbound except for measures concerning the entry and temporary stay of a natural person who falls in one of the following categories: <u>Business visitors</u> A natural person who stays in Jordan without acquiring remuneration from within Jordan and without engaging in making direct sales to the general public or supplying services, for the purposes of participating in business meetings, business contacts including negotiations for the sale of services and/or other similar activities including those to prepare for establishing a commercial presence in Jordan. Entry and stay shall be for a period of 90 days.	(4) Unbound, except for measures affecting the categories referred to under market access.	

WTO Introductory Reports

Modes of supply: 1)Cross-Border supply 2)Consumption abroad 3)Commercial presence 4) Presence of natural persons

Sector or sub-sector	Limitations on market access	Limitations on national treatment	Additional commitments
	<p><u>Intra-Corporate Transferees</u> Natural persons employed by a juridical entity of another member for a period of not less than one year and who seek temporary stay in order to render services to (i) the same juridical entity which is engaged in substantive business operation in Jordan or (ii) a juridical entity constituted in Jordan and engaged in substantive business operation in Jordan which is owned by or controlled by or affiliated with the aforementioned juridical entity.</p>		
	<p><u>Executives</u> Natural persons who are senior employees of a juridical entity, who are responsible for the entire or a substantial part of the entity's operations in Jordan, receiving general supervision or direction principally from higher level executives, the board of directors or stock-holders of the business.</p> <p><u>Managers</u> Natural persons who direct the juridical entity, or department or sub-division of the juridical entity, supervise and control the work of supervisory, professional or managerial employees, have the authority to hire and fire or recommend hiring, firing, or other personnel actions and exercise discretionary authority over day-to-day operations at a senior level.</p> <p><u>Specialists</u> Natural persons employed by a juridical entity and possess knowledge at an advanced level of expertise and proprietary knowledge of a juridical entity product, service, research, equipment, techniques, or management.</p>		

WTO Introductory Reports

Modes of supply: 1)Cross-Border supply 2)Consumption abroad 3)Commercial presence 4) Presence of natural persons

Sector or sub-sector	Limitations on market access	Limitations on national treatment	Additional commitments
	<p><u>Professionals</u> Natural persons seeking to engage, as part of services contract granted by a juridical entity engaged in substantive business in Jordan and obtained by a juridical entity of another Member, (other than entities providing services as defined by CPC872) which has no commercial presence in Jordan in the activity at a professional level. The person must possess the necessary academic credentials and professional qualifications, which have been duly recognized, where appropriate by the professional association in Jordan. The commitment relates only to the service activity which is the subject of the contract. Work permits for all categories are granted on the basis of an economic—needs test, i.e. to candidates whose qualifications are not available in Jordanians or those who are seeking work in fields in which Jordanians are in short supply. Intra-corporate transferees who are executives, managers and specialists (as defined above) are presumed to meet the economic needs test requirements.</p>		
	<p>Temporary work and residency permits are required. Such permits are issued for a maximum period of one year, but are renewable.</p>		
		<p><u>Residency requirements:</u> (4) Managing director of a branch or juridical entity must be resident in Jordan.</p>	

Sector or sub-sector	Limitations on market access	Limitations on national treatment
		<p>(3) Foreign investments may not be less than JD 50,000. This does not apply to investments in public shareholding companies.</p>

j. General Command of the Armed Forces of Jordan

Further to Jordan's accession to the WTO, the General Command of the Armed Forces has to observe the following commitments imposed on Jordan.

Firstly: Rules Commitments

This category of commitments refers to commitments stated in the Working Party Report and must be observed by relevant state bodies before making decisions, adopting policies, or taking legal measures that affect Jordan's foreign trade regime.

Rules Commitments imposed upon the General Command of Armed Forces could be simplified as the following:

A) Quantitative import restrictions, including prohibitions, quotas restrictive license

Jordan is committed that it would not introduce, re-introduce or apply quantitative restrictions on imports, or other non-tariff measures such as licensing, quotas, bans, permits, prior authorization requirements, licensing requirements and other restrictions having equivalent effect that cannot be justified under the provisions of the WTO Agreement.

Any amendments to the import licensing regime shall be fully in accordance with all relevant provisions of the WTO, including the Agreement on Import Licensing Procedures. Any suspension of imports and exports or applying licensing requirements that could be used to suspend, ban, or otherwise restrict the quantity of trade shall be applied in conformity with the requirements of the WTO, in particular Articles XI, XII, XIII, XVIII, XIX, XX and XXI of the GATT 1994, and Agreement on Agriculture, Application of Sanitary and Phytosanitary Measures, Import Licensing Procedures, Safeguards and Technical Barriers to Trade. Thus, in applying any policy, decision or action the General Command of Armed Forces shall not impose any restrictions that may affect imports of goods. (Working Party Report para. 88)

Further, in regards to Other Duties and Charges, Jordan is not permitted to apply any Other Duties and Charges in addition to those that reflect the cost of services rendered in accordance with Article VIII of the GATT 1994. Further, Jordan is committed not to list any other charges in its Goods Market Access Schedule under Article II:1(b) of the GATT 1994, binding such charges at "zero". (WP report para 59)

B) Making and Enforcing Policies

Jordan is committed that if Jordanian laws or other acts should be found to contradict international treaties or agreements, the provisions of the international treaty or agreement, such as the WTO, would apply. (WP report para. 43)

The provisions of the WTO Agreement, including Jordan's Protocol, shall be applied uniformly throughout Jordan's customs territory and other territories under its control, including in regions engaging in border trade or frontier traffic, special economic zones, and other areas where special regimes for tariffs, taxes and regulations are established. In situation where WTO provisions were not being applied or were applied in a non-uniform manner, central authorities would act to enforce WTO provisions without requiring affected parties to petition through the courts. (WP report para. 43)

C) Pricing Policies

Art.III(1) GATT provides that WTO members recognize that internal taxes and other internal charges, and laws, regulations and requirements affecting the internal sale, offering for sale, purchase, transportation, distribution or use of products, and internal quantitative regulations requiring the mixture, processing or use of products in specified amounts or proportions, should not be applied to imported or domestic products so as to afford protection to domestic production. Paragraph 9 from the same article provides that that internal maximum price control measures can have effects prejudicial to the interests of WTO members supplying imported products. Accordingly, WTO members applying such measures shall take account of the interests of exporting contracting parties with a view to avoiding to the fullest practicable extent such prejudicial effects.

Jordan is committed to apply the price and profitability controls in a WTO-consistent fashion, and would take account of the interests of exporting WTO Members as provided for in Article III:9 of the GATT 1994. Also, Jordan is committed to publish any list of goods and services subject to State price controls in the Official Journal, including any changes regarding existing price controls. (WP Report Para. 32)

Secondly, Notification Commitments

This category refers to notifications that the General Command must provide to the WTO. The General Command has to prepare a draft of notification in coordination with Ministry of Industry and Trade which is the focal point in submitting notifications to the WTO.

Notification Requirement	Type of Measure
Agreement on Import Licensing Procedures, Article 1.4 (a)	Names of publications in which rules and information relevant to the ILP Agreement are published; copies of publications
Agreement on Import Licensing Procedures, Article 7.3	Replies to questionnaire on import licensing procedures
Agreement on Import Licensing Procedures, Article 8.2(b)	Laws/regulations and administrative procedures and changes thereto

k. Ministry of Industry and Trade

Following to Jordan's accession to the WTO, Ministry of Industry and Trade has to observe wide range of commitments. Such commitments could be categorized as the following:

Firstly: Rules Commitments

This category of commitments refers to commitments stated in the Working Party Report and must be observed by relevant state bodies before making decisions, adopting policies, or taking legal measures that affect Jordan's foreign trade regime.

Rules Commitments imposed upon Ministry of Industry and Trade could be simplified as the following:

A) Policies affecting trade in Goods

1. Quantitative import restrictions

Jordan is committed that it would not introduce, re-introduce or apply quantitative restrictions on imports, or other non-tariff measures such as licensing, quotas, bans, permits, prior authorization requirements, licensing requirements and other restrictions having equivalent effect that cannot be justified under the provisions of the WTO Agreement. Any amendments to the import licensing regime shall be fully in accordance with all relevant provisions of the WTO, including the Agreement on Import Licensing Procedures. Any suspension of imports and exports or applying licensing requirements that could be used to suspend, ban, or otherwise restrict the quantity of trade shall be applied in conformity with the requirements of the WTO, in particular Articles XI, XII, XIII, XVIII, XIX, XX and XXI of the GATT 1994, and Agreement on Agriculture, Application of Sanitary and Phytosanitary Measures, Import Licensing Procedures, Safeguards and Technical Barriers to Trade. Thus, in applying any policy, decision or action the Ministry shall not impose any restrictions that may affect imports of goods. (Working Party Report para. 88)

In regards to Other Duties and Charges, Jordan is committed not to apply any Other Duties and Charges in addition to those that reflect the cost of services rendered in accordance with Article VIII of the GATT 1994. Therefore, Jordan enacted Law No. 7 on Unifying Other Taxes and Fees in March 1997(which was amended in 2000), consolidating all other import duties and charges into the ordinary rate of customs duty. Further, Jordan is committed not to list any other charges in its Goods Market Access Schedule under

Article II:1(b) of the GATT 1994, binding such charges at "zero".
(WP report para 59)

2. Tariff exemptions

In Jordan tariff exemptions had been granted for basic production inputs, basic food products, necessary health and medical goods, and capital goods and equipment for agriculture and industry. Duty exemptions granted for 10 companies in accordance with agreements with the Government or concessions, granted at the time of their establishment. Jordan is committed not to renew these exemptions and to cancel all import exemptions for government owned entities. (WP report para.63)

The above mentioned ten companies are:

The Jordan Phosphate Mines Co. Ltd., the Jordan Petroleum Refinery Company, the Jordan Cement Factories Company, the Arab Bridge Maritime Company, the Arab Potash Company, the Jordanian Electric Company, the Irbid Governorate Electric Company, the Jordanian Tanning Company, the Vegetable Oil Industries Co. Ltd., and the Arab Company for Manufacturing White Cement. The products subject to import duty exemptions were used by the exempted companies for production and operations purposes.

3. Subsidies and domestic support

Article XVI GATT and The Agreement on Subsidies and Countervailing Measures (SCM) discipline the use of subsidies.

SCM Agreement clarifies and complements Article XVI of the GATT 1994 on subsidies and Article VI on anti-dumping and countervailing duties. The Agreement provides greater transparency by defining the concept of subsidy and clarifying the rules for the imposition and collection of countervailing duties. This agreement does two things: it disciplines the use of subsidies, and it regulates the actions countries can take to counter the effects of subsidies. It says a country can use the WTO's dispute settlement procedure to seek the withdrawal of the subsidy or the removal of its adverse effects. Or the country can launch its own investigation and ultimately charge extra duty (known as "countervailing duty") on subsidized imports that are found to be hurting domestic producers. A subsidy is defined by Article 1 as a financial contribution or any form of income or price support by a government or any other public body and which confers a benefit. To determine whether a benefit exists, one generally compares the situation concerned with prevailing market conditions.

Jordan is committed that any subsidy programmes shall be administered in conformity with the Agreement on Subsidies and Countervailing Measures. All necessary information on such programmes shall be notified to the Committee on Subsidies and Countervailing Measures in accordance with Article 25 of the Agreement (WP report para. 131). In the case of agricultural subsidies, Jordan is committed to bind agricultural export subsidies at zero (WP report para. 189).

In regards to domestic support, there are, under the Agriculture Agreement, two categories of domestic support — support with no, or minimal, distortive effect on trade on the one hand (often referred to as “Green Box” measures) and trade-distorting support on the other hand (often referred to as “Amber Box” measures). For example, government provided agricultural research or training is considered to be of the former type, while government buying-in at a guaranteed price (“market price support”) falls into the latter category. Under the Agreement on Agriculture, all domestic support in favour of agricultural producers is subject to rules. In addition, the aggregate monetary value of Amber Box measures is, with certain exceptions, subject to reduction commitments as specified in the schedule of each WTO Member providing such support. The reduction commitments are expressed in terms of a “Total Aggregate Measurement of Support” (Total AMS) which includes all product-specific support and non-product-specific support in one single figure. Members with a Total AMS have to reduce base period support by 20 per cent over 6 years (developed country Members) or 13 per cent over 10 years (developing country Members). In any year of the implementation period, the Current Total AMS value of non-exempt measures must not exceed the scheduled Total AMS limit as specified in the schedule for that year. In other words, the maximum levels of such support are bound in the WTO.

Jordan had AMS of JD 1,539,199 and Jordan is committed to reduce this by 13.3 per cent over seven years from the date of accession. (WP Report 189)

To sum up, the relevant state bodies in Jordan (the Ministry of Agriculture, the Ministry of Finance, the Central Bank, and Jordan Investment Board) must observe the following:

- Any subsidy programme shall be administered in conformity with the Agreement on Subsidies and Countervailing Measures.
- No subsidies contingent upon export (export subsidies) for agricultural products
- Domestic support may not exceed 10% of total value of agricultural output
- The total Aggregate Measure of Support (estimated at JD 1,539,199 during period 1994-1996) must be reduced by 13.3% over a period of 7 years from the date of accession.

B) Pricing Policies

Art.III (1) GATT provides that WTO members recognize that internal taxes and other internal charges, and laws, regulations and requirements affecting the internal sale, offering for sale, purchase, transportation, distribution or use of products, and internal quantitative regulations requiring the mixture, processing or use of products in specified amounts or proportions, should not be applied to imported or domestic products so as to afford protection to domestic production. Paragraph 9 from the same article provides that that internal maximum price control measures can have effects prejudicial to the interests of WTO members supplying imported products. Accordingly, WTO members applying such measures shall take account of the interests of exporting contracting parties with a view to avoiding to the fullest practicable extent such prejudicial effects.

Jordan is committed to apply the price and profitability controls in a WTO-consistent fashion, and would take account of the interests of exporting WTO Members as provided for in Article III:9 of the GATT 1994. Also, Jordan is committed to publish any list of goods and services subject to State price controls in the Official Journal, including any changes regarding existing price controls. (WP Report Para. 32)

C) State trading entities

Article XVII of the GATT 1994 is the principal Article dealing with state trading enterprises (referred to as "STEs") and their operations. It sets out that such enterprises – in their purchases or sales involving either imports or exports – are to act in accordance with the general principles of *non-discrimination*, and that *commercial considerations* only are to guide their decisions on imports and exports. It also instructs that Members are to notify their state trading enterprises to the WTO annually. The said Article defines state enterprise as:

"Governmental and non-governmental enterprises, including marketing boards, which have been granted exclusive or special rights or privileges, including statutory or constitutional powers, in the exercise of which they influence through their purchases or sales the level or direction of imports or exports."

Particularly important in this definition is the phrase "in the exercise of which they influence ... the level or direction of imports or exports", as this goes to the heart of what the regulation of state trading in the WTO is aimed at – that is, the potentially distorting effects on trade of the operations of state trading enterprises. Conversely, the WTO does not seek to prohibit or even discourage the establishment or maintenance of state trading enterprises, but merely to ensure that they are not operated in a manner inconsistent with WTO principles and rules.

Other GATT Articles deal with state trading such as the Interpretative Note to Articles XI (General Elimination of Quantitative Restrictions), XII (Restrictions to Safeguard the Balance of Payments), XIII (Non-discriminatory Administration of Quantitative Restrictions), XIV (Exceptions to the Rule of Non-discrimination) and XVIII (Governmental Assistance to Economic Development) states that throughout these Articles, the terms "import restrictions" or "export restrictions" include restrictions made effective through state trading operations. Added to the Article XVII requirement to notify, it can be seen that the thrust of the rules on state trading are two-fold: to increase the transparency of the use of state trading to implement various trade-related policies and to ensure that the state trading enterprise is not used to implement WTO-inconsistent measures.

The substantive obligations of Members under the rules governing state trading can be summarized in the following four points:

1. Non-discrimination, commonly referred to as "most favoured nation" or "MFN" treatment;
2. no quantitative restrictions;
3. preservation of the value of tariff concessions; and
4. Transparency.

Jordan is committed to conform to WTO provisions, in particular, Article XVII of the GATT 1994, the WTO Understanding on that Article, and Article VIII of the GATS regarding State trading, with respect to the State-owned enterprises and other enterprises and entities with special or exclusive privileges, in particular abiding by the provisions for notification, non-discrimination, and the application of commercial considerations for trade transactions.

D) Free Zones

Jordan is committed to subject free zones or free economic zones in Jordan to the commitments taken in the Protocol of Accession, and to ensure enforcement of its WTO obligations in those zones, including those commitments derived from the TRIPS Agreement. It is also committed that, when goods produced or imported into the zones under the special tax and tariff regime existing in these areas enter into the rest of Jordan, normal customs formalities, tariffs and taxes would be applied

E) Making and Enforcing Policies

Jordan is committed that if Jordanian laws or other acts should be found to contradict international treaties or agreements, the provisions of the international treaty or agreement, such as the WTO, would apply. (WP report para. 43)

The provisions of the WTO Agreement, including Jordan's Protocol of Accession, shall be applied uniformly throughout Jordan's customs territory and other territories under its control, including in regions engaging in border trade or frontier traffic, special economic zones, and other areas where special regimes for tariffs, taxes and regulations are established. In situation where WTO provisions were not being applied or were applied in a non-uniform manner, central authorities would act to enforce WTO provisions without requiring affected parties to petition through the courts. (WP report para. 43)

Secondly: Legal Commitment

This category refers to laws, regulations, instructions, and decision that must be in effect, amended or canceled in order to conform to the WTO requirements. These commitments are:

I. Commitments rise from TRIPS: integrated circuits, patent

The term of Intellectual Property Rights (IPRs) refers to the rights given to persons over the creations of their minds. IPRs usually give the creator an exclusive right over the use of his/her creation for a certain period of time.

The WTO's Agreement on Trade-Related Aspects of Intellectual Property Rights (TRIPS) introduced intellectual property rules under the WTO system. TRIPS covers various kinds of Intellectual Property Rights including Copyright, Trademarks, Geographical indications, Industrial designs, Patents, Layout-designs (topographies) of integrated circuits and Undisclosed information. Jordan is committed to apply fully all the provisions of the Agreement on Trade-Related Aspects of Intellectual Property Rights. (WP Report Paragraph 230)

TRIPS Agreement is an attempt to narrow the gaps in the way these rights are protected around the world, and to bring them under common international rules. It establishes minimum levels of protection that each government has to give to the intellectual property of fellow WTO members. Society benefits in the long term when intellectual property protection encourages creation and invention, especially when the period of protection expires and the creations and inventions enter the public domain.

The areas of intellectual property that it covers are: copyright and related rights (i.e. the rights of performers, producers of sound recordings and broadcasting organizations); trademarks including service marks; geographical indications including appellations of origin; industrial designs; patents including the protection of new varieties of plants; the layout-designs of integrated circuits; and undisclosed information including trade secrets and test data.

The three main features of the Agreement are:

1. **Standards.** In respect of each of the main areas of intellectual property covered by the TRIPS Agreement, the Agreement sets out the minimum standards of protection to be provided by each Member. Each of the main elements of protection is defined, namely the subject-matter to be protected, the rights to be conferred and permissible exceptions to those rights, and the minimum duration of protection. The Agreement sets these standards by requiring, first, that the substantive obligations of the main conventions of the WIPO, the Paris Convention for the Protection of Industrial Property (Paris Convention) and the Berne Convention for the Protection of Literary and Artistic Works (Berne Convention) in their most recent versions, must be complied with. With the exception of the provisions of the Berne Convention on moral rights, all the main substantive provisions of these conventions are incorporated by reference and thus become obligations under the TRIPS Agreement between TRIPS Member countries. The relevant provisions are to be found in Articles 2.1 and 9.1 of the TRIPS Agreement, which relate, respectively, to the Paris Convention and to the Berne Convention. Secondly, the TRIPS Agreement adds a substantial number of additional obligations on matters where the pre-existing conventions are silent or were seen as being inadequate. The TRIPS Agreement is thus sometimes referred to as a Berne and Paris-plus agreement.
2. **Enforcement.** The second main set of provisions deals with domestic procedures and remedies for the enforcement of intellectual property rights. The Agreement lays down certain general principles applicable to all IPR enforcement procedures. In addition, it contains provisions on civil and administrative procedures and remedies, provisional measures, special requirements related to border measures and criminal procedures, which specify, in a certain amount of detail, the procedures and remedies that must be available so that right holders can effectively enforce their rights.
3. **Dispute settlement.** The Agreement makes disputes between WTO Members about the respect of the TRIPS obligations subject to the WTO's dispute settlement procedures.

In addition the Agreement provides for certain basic principles, such as national and most-favoured-nation treatment, and some general rules to ensure that procedural difficulties in acquiring or maintaining IPRs do not nullify the substantive benefits that should flow from the Agreement. The obligations under the Agreement will apply equally to all Member countries, but developing countries will have a longer period to phase them in.

The TRIPS Agreement is a minimum standards agreement, which allows Members to provide more extensive protection of intellectual property if they so wish. Members are left free to determine the

appropriate method of implementing the provisions of the Agreement within their own legal system and practice.

The basic obligation on each Member country is to accord the treatment in regard to the protection of intellectual property provided for under the Agreement to the persons of other Members. Article 1.3 defines who these persons are. These persons are referred to as “nationals” but include persons, natural or legal, who have a close attachment to other Members without necessarily being nationals.

Articles 3, 4 and 5 include the fundamental rules on national and most-favoured-nation treatment of foreign nationals, which are common to all categories of intellectual property covered by the Agreement. While the national treatment clause forbids discrimination between a Member's own nationals and the nationals of other Members, the most-favoured-nation treatment clause forbids discrimination between the nationals of other Members. In respect of the national treatment obligation, the exceptions allowed under the pre-existing intellectual property conventions of WIPO are also allowed under TRIPS. Where these exceptions allow material reciprocity, a consequential exception to MFN treatment is also permitted (e.g. comparison of terms for copyright protection in excess of the minimum term required by the TRIPS Agreement as provided under Article 7(8) of the Berne Convention as incorporated into the TRIPS Agreement). Certain other limited exceptions to the MFN obligation are also provided for.

The general goals of the TRIPS Agreement are contained in the Preamble of the Agreement. These objectives include the reduction of distortions and impediments to international trade, promotion of effective and adequate protection of intellectual property rights, and ensuring that measures and procedures to enforce intellectual property rights do not themselves become barriers to legitimate trade. These objectives should be read in conjunction with Article 7, entitled “Objectives”, according to which the protection and enforcement of intellectual property rights should contribute to the promotion of technological innovation and to the transfer and dissemination of technology, to the mutual advantage of producers and users of technological knowledge and in a manner conducive to social and economic welfare, and to a balance of rights and obligations. Article 8, entitled “Principles”, recognizes the rights of Members to adopt measures for public health and other public interest reasons and to prevent the abuse of intellectual property rights, provided that such measures are consistent with the provisions of the TRIPS Agreement.

In regards to IPRs, the Ministry of Industry and Trade is committed to introduce regulations for Integrated Circuits and Patents that conform to the WTO requirements.

1. Regulations on Integrated Circuits

Article 35 of the TRIPS Agreement impose on member countries an undertaking to protect the layout-designs of integrated circuits in accordance with the provisions of the IPIC Treaty (the Treaty on Intellectual Property in Respect of Integrated Circuits), negotiated under the auspices of WIPO in 1989. These provisions deal with, *inter alia*, the definitions of “integrated circuit” and “layout-design (topography)”, requirements for protection, exclusive rights, and limitations, as well as exploitation, registration and disclosure. An “integrated circuit” means a product, in its final form or an intermediate form, in which the elements, at least one of which is an active element, and some or all of the interconnections are integrally formed in and/or on a piece of material and which is intended to perform an electronic function. A “layout-design (topography)” is defined as the three-dimensional disposition, however expressed, of the elements, at least one of which is an active element, and of some or all of the interconnections of an integrated circuit, or such a three-dimensional disposition prepared for an integrated circuit intended for manufacture. The obligation to protect layout-designs applies to such layout-designs that are original in the sense that they are the result of their creators' own intellectual effort and are not commonplace among creators of layout-designs and manufacturers of integrated circuits at the time of their creation. The exclusive rights include the right of reproduction and the right of importation, sale and other distribution for commercial purposes. Certain limitations to these rights are provided for.

Jordan is committed to protect the layouts designs of integrated circuits. Jordan has issued Law for the Protection of Integrated Designs of 2000 and Regulations for the Protection of Integrated Designs 2002. The said Law defines integrated circuits and layout-design as they are defined under TRIPS.

Jordan has issued detailed regulations (Regulations for the Protection of Integrated Designs 2002) that clarify the application of the above mentioned law and set up the required fees. Both the law and regulations mentioned above are in conformity with the WTO requirements.

2. Patent

The TRIPS Agreement imposes on member countries an undertaking to make patents available for any inventions, whether products or processes, in all fields of technology without discrimination, subject to the normal tests of novelty, inventiveness and industrial applicability. It is also requires that patents be available and patent rights enjoyable without discrimination as to the place of invention and whether products are imported or locally produced (Article 27.1

TRIPS). Following to the accession to the WTO, Jordan is committed to protect patents rights in accordance with TRIPS rules. Therefore, has amended its Patent Law in 2001 to make it in conformity with TRIPS rules.

II. Regulations on Imports and Exports

Jordan has enacted Import and Export Law in 2000 and Import and Export Regulations in 2004. Jordan is committed to put such export and import rules in conformity with arts. I, III, XI of GATT 1994 and the Agreement on Import Licensing Procedures. Art. I GATT provides for the rule of Most-Favoured-Nation (MFN) that if a member of WTO provide any advantage, favour, privilege or immunity to a product originating in or destined for any other country, the member shall offer such advantage, favor, privilege or immunity to similar products from all the WTO members. The rule aims to avoid discrimination between trading partners. Art II GATT provides for the principle of National Treatment which establishes the principle of non-discrimination between imported products and like domestic products. Consequently, taxes and other domestic levies by Members of the WTO, and laws and regulations affecting the internal sale, offering for sale, purchase, transportation, distribution or use of products and internal quantitative regulations requiring the mixture, processing or use of products in specified amounts or proportions must be applied in such a way that they afford imported products the same treatment as products of domestic origin. Art.VI of GATT deals with Antidumping and Countervailing duties (See below).

The Agreement on Import Licensing Procedures says import licensing should be simple, transparent and predictable so as not to become an obstacle to trade. For example, the agreement requires governments to publish sufficient information for traders to know how and why the licences are granted. It also describes how countries should notify the WTO when they introduce new import licensing procedures or change existing procedures.

III. Amendment to the law on protection of national production (Anti-dumping, countervailing and safeguards regulations)

Jordan is committed not to apply any anti-dumping, countervailing or safeguard measure to imports from WTO Members until it notifies and implements appropriate laws in conformity with the provisions of the WTO Agreements on the Implementation of Article VI, on Subsidies and Countervailing Measures and on Safeguards. Jordan is committed to ensure that any such legislation shall be in full conformity with the relevant WTO provisions, including Article VI and XIX of the GATT 1994 and the Agreement on the Implementation of Article VI, the Agreement on Subsidies and Countervailing Measures and the Agreement on Safeguards.

1. Agreement on Implementation of Article VI of GATT 1994 (AD Agreement) Anti-dumping

The Agreement on Implementation of Article VI of GATT 1994 (AD Agreement) clarifies Article VI of GATT 1994 on anti-dumping measures. AD Agreement aims to establish more transparency in the determination of dumping and investigations carried out by the competent national authorities.

The Agreement defines Dumping as the introduction of a product into the commerce of another country at less than its normal value, if the export price of the product exported from one country to another is less than the comparable price, in the ordinary course of trade, for the like product when destined for consumption in the exporting country.

Article 2.6 from the Agreement defines a like product as an identical product, i.e. alike in all respects to the product under consideration, or in the absence of such a product, another product which has characteristics closely resembling those of the product under consideration.

Article 1 of the AD Agreement sets out the basic principle whereby an anti-dumping measure may be applied only if it is determined, after investigations initiated and conducted in accordance with the provisions of the Agreement, that the imports

- (i) are dumped,
- (ii) are causing injury to a domestic industry, and
- (iii) there is a causal relationship between the dumped imports and the alleged injury

2. Agreement on Subsidies and Countervailing Measures (see above)

3. Safeguards: emergency protection from imports

A WTO member may restrict imports of a product temporarily (take “safeguard” actions) if its domestic industry is injured or threatened with injury caused by a surge in imports. Here, the injury has to be serious. Safeguard measures were always available under GATT (Article 19). The Agreement on Safeguards (Safeguards Agreement) clarifies and complements Article XIX of GATT 1994. The Safeguards Agreement also aims to encourage structural adjustment within industries that are suffering from the negative effects of increased imports, thus improving competition in international markets.

Guiding principles for imposing safeguards can be concluded from the agreements:

- 1- Safeguard measures must be temporary.

- 2- They may be imposed only when it has been determined that the imports cause or threaten to cause serious injury to a domestic industry that produces like or directly competitive products.
- 1- They must be applied on a non-selective basis (i.e. on the most-favoured-nation, or MFN, basis) and must be progressively liberalized during the period of application.
- 2- The Member imposing them must pay compensation to Members whose trade is affected.
- 3- Before imposing any safeguard measure, the competent national authorities must initiate an investigation under Article 3 of the Safeguards Agreement.
- 4- Following investigation, the safeguard measure should be applied only to the extent necessary to prevent or remedy serious injury and to facilitate adjustment of the domestic industry, within certain limits. If a Member applies a quantitative restriction, the measure must not reduce the quantity of imports below the level of a recent period, i.e. the average of imports in the last three representative years for which statistics are available, unless clear justification is given that a different level is necessary to prevent or remedy serious injury. Article 5 also lays down rules applicable to the allocation of quotas between supplying countries (Article 5.2(a) and (b)).
- 5- The period of application of the safeguard measure must not exceed 4 years. The period may be extended if the conditions of Article 7:2 are satisfied. In the case of extension, the total period of application, including provisional measures, must not exceed eight years. Developing country Members may extend the period of application of safeguard measures for 2 years beyond the maximum period of eight years.
- 6- Members must notify safeguard measures and amendments thereto to the Committee on Safeguards.

In 2004, Jordan has enacted a new law that replaces Protection of National Production Law for 2002. The new law has provided rules for anti-dumping, countervailing and safeguarding measures. The Law of 2004 has adhered fully for the WTO rules where art.23 from the said law states expressly that the law shall be applied in accordance with the rules of WTO agreements for safeguarding, antidumping and countervailing. Art.26 from the same law provides that the Council of Ministers shall issue the appropriate regulations for applying safeguarding, antidumping, subsidies and countervailing rules and under paragraph D from the same article, the regulations shall provide for the required notifications under the WTO.

Thirdly: Notification requirements

This category refers to notifications that the Ministry of Industry and Trade must provide to the WTO. Ministry of Industry and Trade is the focal point in submitting notifications to the WTO, thus any agency intends to notify the WTO it shall be in coordination with the MIT.

Notification Requirement	Type of Measure
Agreement on Subsidies and Countervailing Measures, Article 28.1	Subsidy programmes which are inconsistent with the provisions of the ASCM
Agreement on Subsidies and Countervailing Measures, Article 29.3	Subsidy programmes falling within the scope of ASCM Article 3
Agreement on Subsidies and Countervailing Measures, Article 25.1 annual; GATT 1994, Article XVI:1/ annual	Any subsidy as defined in ASCM Article 1:1 which is specific within the meaning of ASCM Article 2 as well as any other subsidy which causes increased exports or decreased imports within the meaning of GATT 1994, Article XVI:1
Agreement on Trade-Related Investment Measures, Article 5.1	Trade-related investment measures (TRIMs) introduced 180 days or more before the date of entry into force of the WTO Agreement which are inconsistent with the provisions of Article III or Article XI of GATT 1994 and not justified under exceptions to GATT 1994.
GATS, Article IV.2	References of contact point
TRIPS Agreement, Article 14.6 [Article 17 of the “Rome Convention”]	Protection of producers of phonograms solely on the basis of the criterion of fixation
TRIPS Agreement, Art. 1(3)	Any Member availing itself of the possibilities provided in paragraph 3 of Article 5 or paragraph 2 of Article 6 of the Rome Convention shall make a notification as foreseen in those provisions to the Council for Trade-Related Aspects of Intellectual Property Rights (the “Council for TRIPS”).
TRIPS Agreement, Art. 3(1)	Any Member availing itself of the possibilities provided in Article 6 of the Berne Convention (1971) or paragraph 1(b) of Article 16 of the Rome Convention shall make a notification as foreseen in those provisions to the Council for TRIPS
TRIPS Agreement, Article 63.2	Laws / regulations made effective by the notifying Member (pertaining to the availability, scope, acquisition, enforcement and prevention of the abuse of intellectual property rights)
TRIPS Agreement, Article 69	Specification of contact points

Notification Requirement	Type of Measure
Agreement on Subsidies and Countervailing Measures, Article 25.12	Authorities competent to initiate and conduct countervailing duty investigations referred to in ASCM Article 11 and domestic procedures governing the initiation and conduct of such investigations
Understanding on Balance-of-Payments Provisions of the GATT 1994	Balance-of-payment restrictions; consolidated notification of laws/regulations, including all changes in laws, regulations, policy statements or public notices, for examination by Members.
GATS, Article V:7	Economic integration Agreements and their enlargement or modification
GATS, Article XXVIII (k)(ii):2	Treatment of permanent residents as nationals for GATS purposes
Agreement on Rules of Origin, Article 5.1	Existing non-preferential rules of origin; judicial decisions and administrative rulings of general application relating to non-preferential rules of origin
Agreement on Rules of Origin, Annex II, paragraph 4 – first time	Existing preferential rules of origin; judicial decisions and administrative rulings of general application relating to preferential rules of origin
Regional arrangements Understanding on the Interpretation of Article XXIV of the GATT 1994, paragraph 11	Customs Unions and Free Trade Areas
Regional arrangements Decisions of the CONTRACTING PARTIES (BISD 18S/37, 38 paragraph 4)	Examination every two years of reports on the preferential agreements
State trading GATT 1994, Article XVII: 4(a) and notification) paragraph 1 of the Understanding on the Interpretation of Article XVII of GATT 1994 – annual	State trading activities(new and full)
State trading GATT 1994, Article XVII:4(a) and paragraph 1 of the Understanding on the Interpretation of Article XVII of GATT 1994 – annual	State trading activities (changes)
Agreement on Import Licensing Procedures, Article 1.4 (a)	Names of publications in which rules and information relevant to the ILP Agreement are published; copies of publications
Agreement on Import Licensing Procedures, Article 7.3	Replies to questionnaire on import licensing procedures
Agreement on Import Licensing Procedures, Article 8.2(b)	Laws/regulations and administrative procedures and changes thereto
Decisions on Notification Procedures for Quantitative Restrictions	Quantitative Restrictions measures and other non-tariff

Fourthly: Goods commitments

This category of commitments refers to tariff binding and agricultural subsidies commitments that must be observed by relevant state bodies before setting tariff rates on imports or providing subsidies to agricultural products.

Jordan is committed to bind its entire tariff. The Customs Tariff Council (The Ministry of Finance, the Customs Department, the Ministry of Industry and Trade) may not set customs duties on imports above the bound rate except as permitted under the WTO agreements (Balance-of-payments reasons-approval of IMF required and safeguard measure- for a temporary period of time) or after re-negotiation with WTO Members (countries whose export will be affected by such change and countries who were granted INR-Initial Negotiations Rights); In any case, compensation may be required when duties are set above bound rate.

Services Commitments

WTO principles of freer and fairer trade apply also on services. These principles appear in the new General Agreement on Trade in Services (GATS). WTO members have made individual commitments under GATS stating which of their services sectors they are willing to open to foreign competition, and how accessible those markets are

Service commitments under the GATS are registered in schedules. Each Member of the WTO is required to have a schedule in which it registers its commitments to provide market access and national treatment to services and service suppliers of other Members. When making a commitment, a Member binds the level of market access and national treatment specified in the schedule and undertakes not to impose any new measures that would restrict entry into the market or discriminate in favour of services or services suppliers of national origin. A specific commitment thus has an effect similar to a tariff binding under the GATT. Commitments can only be withdrawn or modified after negotiation and agreement with other Members on a compensatory adjustment through which the modifying Member offers alternative commitments. However, new commitments and improvements to existing ones can be added at any time.

In nearly all schedules, commitments are divided into two sections: "horizontal" and "sector-specific" commitments. The horizontal section contains limitations which apply to all sectors included in the schedule. These often refer to particular modes of supply, notably commercial presence and movement of natural persons. The only purpose of having a section for horizontal commitments is to avoid repeating the same entry in relation to each sector contained in the schedule. Any evaluation of sector-specific commitments must therefore take into account the horizontal entries.

However, **Ministry of Industry and Trade has to observe all commitments in Jordan's Services Schedule⁶**.

In regards to formatting, all schedules conform to a standard formula which is intended to facilitate comparative analysis. For each sector or sub-sector inscribed, the schedule must indicate, with respect to the four modes of supply set out in Articles (I, paragraph 2 GATS) any limitations on market access or national treatment which are to be maintained.

The said four modes are:

1. Cross border supply: the possibility for non-resident service suppliers to supply services cross-border into the Member's territory.
2. Consumption abroad: the freedom for the Member's residents to purchase services in the territory of another Member
3. Commercial presence: the opportunities for foreign service suppliers to establish, operate or expand a commercial presence in the Member's territory, such as a branch, agency, or wholly-owned subsidiary
4. Presence of natural persons: the possibilities offered for the entry and temporary stay in the Member's territory of foreign individuals in order to supply a service.

Finally, Most-Favoured-Nation treatment (MFN) is a general obligation that applies to all measures affecting trade in services. MFN consists of the commitment by a Member of WTO immediately and unconditionally to accord to any other Member of the WTO all the advantages it would accord to any other country. However, particular measures inconsistent with the MFN obligation can be maintained. Such measures must have been specified in a list of MFN Exemptions submitted by the member. Jordan has submitted a list of MFN exemptions attached to the schedule of specific commitments.

PT⁶_TPSee the Schedule of Specific Commitments on Services resulting from the negotiations between Jordan and WTO Members which is annexed to the Protocol of Accession of Jordan.

I. Ministry of Health

Commitments imposed upon Ministry of Health following to Jordan's accession to WTO are categorized as the following:

Firstly, Rules Commitments

This category of commitments refers to commitments stated in the Working Party Report and must be observed by relevant state bodies before making decisions, adopting policies, or taking legal measures that affect Jordan's foreign trade regime.

1. Quantitative import restrictions

Jordan is committed that it would not introduce, re-introduce or apply quantitative restrictions on imports, or other non-tariff measures such as licensing, quotas, bans, permits, prior authorization requirements, licensing requirements and other restrictions having equivalent effect that cannot be justified under the provisions of the WTO Agreement. Any amendments to the import licensing regime shall be fully in accordance with all relevant provisions of the WTO, including the Agreement on Import Licensing Procedures. Any suspension of imports and exports or applying licensing requirements that could be used to suspend, ban, or otherwise restrict the quantity of trade shall be applied in conformity with the requirements of the WTO, in particular Articles XI, XII, XIII, XVIII, XIX, XX and XXI of the GATT 1994, and Agreement on Agriculture, Application of Sanitary and Phytosanitary Measures, Import Licensing Procedures, Safeguards and Technical Barriers to Trade. Thus, in applying any policy, decision or action the Ministry shall not impose any restrictions that may affect imports of goods. (Working Party Report para. 88)

In regards to Other Duties and Charges, Jordan is not permitted to apply any Other Duties and Charges in addition to those that reflect the cost of services rendered in accordance with Article VIII of the GATT 1994. Further, Jordan is committed not to list any other charges in its Goods Market Access Schedule under Article II:1(b) of the GATT 1994, binding such charges at "zero". (WP report para 59)

2. Pricing Policies

Art.III (1) GATT provides that WTO members recognize that internal taxes and other internal charges, and laws, regulations and requirements affecting the internal sale, offering for sale, purchase, transportation, distribution or use of products, and internal quantitative regulations requiring the mixture, processing or use of products in specified amounts or proportions, should not be applied to imported or domestic products

so as to afford protection to domestic production. Paragraph 9 from the same article provides that that internal maximum price control measures can have effects prejudicial to the interests of WTO members supplying imported products. Accordingly, WTO members applying such measures shall take account of the interests of exporting members with a view to avoiding to the fullest practicable extent such prejudicial effects.

Jordan is committed to apply the price and profitability controls in a WTO-consistent fashion, and would take account of the interests of exporting WTO Members as provided for in Article III:9 of the GATT 1994. Also, Jordan is committed to publish any list of goods and services subject to State price controls in the Official Journal, including any changes regarding existing price controls. (WP Report Para. 32)

3. Making and Enforcing Policies

Jordan is committed that if Jordanian laws or other acts should be found to contradict international treaties or agreements, the provisions of the international treaty or agreement, such as the WTO, would apply. (WP report para. 43)

The provisions of the WTO Agreement, including Jordan's Protocol, shall be applied uniformly throughout Jordan's customs territory and other territories under its control, including in regions engaging in border trade or frontier traffic, special economic zones, and other areas where special regimes for tariffs, taxes and regulations are established. In situation where WTO provisions were not being applied or were applied in a non-uniform manner, central authorities would act to enforce WTO provisions without requiring affected parties to petition through the courts. (WP report para. 43)

4. Trading Rights,

Jordan is committed to make its laws, regulations and requirements relating to the right to import and export and all fees, charges or taxes levied on such rights in full conformity with its WTO obligations, including:

- GATT VIII:1(a) : that all fees and charges of whatever character (other than import and export duties and other than taxes within the purview of Article III) imposed by members on or in connection with importation or exportation shall be limited in amount to the approximate cost of services rendered and shall not represent an indirect protection to domestic products or a taxation of imports or exports for fiscal purposes.
- GATT XI:1 : that no prohibitions or restrictions other than duties, taxes or other charges shall be instituted or maintained by any member on the importation of any product of the territory of any other member or on the exportation or sale for export of any product destined for the territory of any other member.

- Art. III:2 and 4 of the GATT: (National Treatment) The products of the territory of any member imported into the territory of any other member shall not be subject, directly or indirectly, to internal taxes or other internal charges of any kind in excess of those applied, directly or indirectly, to like domestic products.
- Further, the products of the territory of any member imported into the territory of any other member shall be accorded treatment no less favourable than that accorded to like products of national origin in respect of all laws, regulations and requirements affecting their internal sale, offering for sale, purchase, transportation, distribution or use.

5. Technical barriers, Sanitary and phytosanitary measures

Under the WTO there is an Agreement on the Application of Sanitary and Phytosanitary Measures sets out the basic rules for food safety and animal and plant health standards. It allows countries to set their own standards. But it also says regulations must be based on science. They should be applied only to the extent necessary to protect human, animal or plant life or health. And they should not arbitrarily or unjustifiably discriminate between countries where identical or similar conditions prevail. The agreement still allows countries to use different standards and different methods of inspecting products

The Agreement on Sanitary and Phytosanitary Measures (SPS) builds on previous GATT rules to restrict the use of unjustified sanitary and phytosanitary measures for the purpose of trade protection. The basic aim of the SPS Agreement is to maintain the sovereign right of any government to provide the level of health protection it deems appropriate, but to ensure that these sovereign rights are not misused for protectionist purposes and do not result in unnecessary barriers to international trade

Jordan is committed to apply its sanitary and phytosanitary standards system in conformity with WTO provisions under the Agreement on the Application of Sanitary and Phytosanitary Measures. Jordan further is committed not to apply stricter rules than those laid out by international organizations such as OIE will be applied. (WP Report Paragraph 151) Further, there is an Agreement on Technical Barriers to Trade (TBT) which tries to ensure that regulations, standards, testing and certification procedures do not create unnecessary obstacles. The agreement sets out a code of good practice for the preparation, adoption and application of standards by central government bodies. The agreement says that the procedures used to decide whether a product conforms with national standards have to be fair and equitable. It discourages any methods that would give domestically produced goods an unfair advantage.

Jordan is committed to comply with all obligations under the WTO Agreement on Technical Barriers to Trade (WP Report Paragraph 140). Jordan is committed to review its remaining 1,110 mandatory standards

and to replace them with voluntary standards or with technical regulations, consistent with Article 2 of the TBT Agreement on Preparation, Adoption and Application of Technical Regulations by Central Government Bodies. (WP report, para.137)

Secondly, Legal Commitments

This category refers to laws, regulations, instructions, and decision that must be in effect, modified or cancelled in order to conform to the WTO requirements.

Jordan is committed to put its Law on Food Safety in full conformity with the rules and principles of the WTO.

Thirdly, Notification Commitments

This category refers to notifications that the Ministry of Health is concerned with under the WTO. The Ministry has to prepare a draft of notification in coordination with Ministry of Industry and Trade which is the focal point in submitting notifications to the WTO.

Notification Requirement	Type of Measure
Agreement on Import Licensing Procedures, Article 1.4 (a)	Names of publications in which rules and information relevant to the ILP Agreement are published; copies of publications
Agreement on Import Licensing Procedures, Article 7.3	Replies to questionnaire on import licensing procedures
Agreement on Import Licensing Procedures, Article 8.2(b)	Laws/regulations and administrative procedures and changes thereto
Agreement on Sanitary and Phytosanitary Measures (SPS) Art.7	Members shall notify changes in their sanitary or phytosanitary measures and shall provide information on their sanitary or phytosanitary measures in accordance with the provisions of Annex B to the Agreement.
AGREEMENT ON TECHNICAL BARRIERS TO TRADE Art. 2.9.2	notify other Members through the Secretariat of the products to be covered by the proposed technical regulation, together with a brief indication of its objective and rationale. Such notifications shall take place at an early appropriate stage, when amendments can still be introduced and comments taken into account;

Notification Requirement	Type of Measure
TECHNICAL BARRIERS TO TRADE Art. 2.10	Subject to the provisions in the lead-in to paragraph 9, where urgent problems of safety, health, environmental protection or national security arise or threaten to arise for a Member, that Member may omit such of the steps enumerated in paragraph 9 as it finds necessary, provided that the Member, upon adoption of a technical regulation, shall notify immediately other Members through the Secretariat of the particular technical regulation and the products covered, with a brief indication of the objective and the rationale of the technical regulation, including the nature of the urgent problems
TECHNICAL BARRIERS TO TRADE Art.5.6.2	notify other Members through the Secretariat of the products to be covered by the proposed conformity assessment procedure, together with a brief indication of its objective and rationale. Such notifications shall take place at an early appropriate stage, when amendments can still be introduced and comments taken into account
TECHNICAL BARRIERS TO TRADE Art. 10.7	Whenever a Member has reached an agreement with any other country or countries on issues related to technical regulations, standards or conformity assessment procedures which may have a significant effect on trade, at least one Member party to the agreement shall notify other Members through the Secretariat of the products to be covered by the agreement
GATS art. III (3)	Each Member shall promptly and at least annually inform the Council for Trade in Services of the introduction of any new, or any changes to existing, laws, regulations or administrative guidelines which significantly affect trade in services covered by its specific commitments under this Agreement.
GATS art. V (7)(a)	Members to agreement referred to in paragraph 1 art. V (agreements liberalizing trade in services between or among the parties to such an agreement) shall promptly notify any such agreement and any enlargement or any significant modification of that agreement to the Council for Trade in Services.
GATS, Article XXI (1)(b) Modification of Schedules	A Member shall notify its intent to modify or withdraw a commitment pursuant to this Article no later than three months before the intended date of implementation of the modification or withdrawal.
GATS art. Article X(2) (Emergency Safeguard Measures)	To notify any intention to modify or withdraw a specific commitment after a period of one year from the date on which the commitment enters into force; provided that the Member shows cause to the Council that the modification or withdrawal cannot await the lapse of the three-year period provided for in paragraph 1 of Article XXI.

Fourthly, Services Commitments.

WTO principles of freer and fairer trade apply also on services. These principles appear in the General Agreement on Trade in Services (GATS). WTO members have made individual commitments under GATS stating which of their services sectors they are willing to open to foreign competition, and how accessible those markets are.

In this Manual, Service Commitments category refers to specific commitments in the Service Sector that must be observed by Ministry of Health in making policy change or making a decision on a specific investment in the service sector.

Services commitments under the GATS are registered in schedules. Each Member of the WTO is required to have a schedule in which it registers its commitments to provide market access and national treatment to services and service suppliers of other Members. When making a commitment, a Member binds the level of market access and national treatment specified in the schedule and undertakes not to impose any new measures that would restrict entry into the market or discriminate in favour of services or services suppliers of national origin. A specific commitment thus has an effect similar to a tariff binding under the GATT. Commitments can only be withdrawn or modified after negotiation and agreement with other Members on a compensatory adjustment through which the modifying Member offers alternative commitments. However, new commitments and improvements to existing ones can be added at any time.

In nearly all schedules, commitments are divided into two sections: "horizontal" and "sector-specific" commitments. The horizontal section contains limitations which apply to all sectors included in the schedule. These often refer to particular modes of supply, notably commercial presence and movement of natural persons. The only purpose of having a section for horizontal commitments is to avoid repeating the same entry in relation to each sector contained in the schedule. Any evaluation of sector-specific commitments must therefore take into account the horizontal entries.

A schedule for the specific commitments related to the Ministry is added below. In regards to formatting, all schedules conform to a standard formula which is intended to facilitate comparative analysis. For each sector or sub-sector inscribed, the schedule must indicate, with respect to the four modes of supply set out in Articles (I, paragraph 2 GATS) any limitations on market access or national treatment which are to be maintained.

The said four modes are:

1. Cross border supply: the possibility for non-resident service suppliers to supply services cross-border into the Member's territory.
2. Consumption abroad: the freedom for the Member's residents to purchase services in the territory of another Member
3. Commercial presence: the opportunities for foreign service suppliers to establish, operate or expand a commercial presence in the Member's territory, such as a branch, agency, or wholly-owned subsidiary

4. Presence of natural persons: the possibilities offered for the entry and temporary stay in the Member's territory of foreign individuals in order to supply a service.

A commitment therefore consists of eight entries which indicate the presence or absence of market access and/or national treatment limitations with respect to each mode of supply. The first column in the standard format contains the sector or sub-sector which is the subject of the commitment; the second column contains limitations on market access; the third column contains limitations on national treatment. In the fourth column, if any, a Member may enter any additional commitments relating to matters which are not subject to scheduling under market access or national treatment including those regarding qualifications, standards or licensing matters.

Finally, Most-Favoured-Nation treatment (MFN) is a general obligation that applies to all measures affecting trade in services. MFN consists of the commitment by a Member of WTO immediately and unconditionally to accord to any other Member of the WTO all the advantages it would accord to any other country. However, particular measures inconsistent with the MFN obligation can be maintained. Such measures must have been specified in a list of MFN Exemptions submitted by the member.

Jordan has submitted a list of MFN exemptions attached to the schedule of specific commitments.

Modes of supply: 1)Cross-Border supply 2)Consumption abroad 3)Commercial presence
4) Presence of natural persons

Sector or sub-sector	Limitations on market access	Limitations on national treatment	Additional commitments
A. HORIZONTAL COMMITMENTS			
All sectors included in this schedule			
		Regarding subsidies, modes (1), (2), (3) and (4) are Unbound.	
		(3) Foreign investments may not be less than JD 50,000. This does not apply to investments in public share-holding companies.	
		<u>Real Estate:</u> (3) All purchase of real estate by non-Jordanian firms must be related to the approved business activities and is subject to Cabinet authorization. Lease of real estate by non-Jordanian firms for more than three years is subject to Cabinet approval. All juridical entities are prohibited from engaging in real estate trading.	

Modes of supply: 1)Cross-Border supply 2)Consumption abroad 3)Commercial presence
4) Presence of natural persons

Sector or sub-sector	Limitations on market access	Limitations on national treatment	Additional commitments
		<p><u>State Owned Land:</u> (3) Authorization for purchase or lease of state owned lands is restricted to Jordanian nationals.</p>	
	<p>(3) All investments in public utilities are generally subject to concession. In sectors where service provision is granted by concession, commercial establishment must be in the form of Public Shareholding Companies.</p>		
	<p>(4) Unbound except for measures concerning the entry and temporary stay of a natural person who falls in one of the following categories: <u>Business visitors</u> A natural person who stays in Jordan without acquiring remuneration from within Jordan and without engaging in making direct sales to the general public or supplying services, for the purposes of participating in business meetings, business contacts including negotiations for the sale of services and/or other similar activities including those to prepare for establishing a commercial presence in Jordan. Entry and stay shall be for a period of 90 days. <u>Intra-Corporate Transferees</u> Natural persons employed by a juridical entity of another member for a period of not less than one year and who seek temporary stay in order to render services to (i) the same juridical entity which is engaged in substantive business operation in Jordan or (ii) a juridical entity constituted in Jordan and engaged in substantive business operation in Jordan which is owned by or controlled by or affiliated with the aforementioned juridical entity.</p>	<p>(4) Unbound, except for measures affecting the categories referred to under market access.</p>	

Modes of supply: 1)Cross-Border supply 2)Consumption abroad 3)Commercial presence
4) Presence of natural persons

Sector or sub-sector	Limitations on market access	Limitations on national treatment	Additional commitments
	<p><u>Executives</u> Natural persons who are senior employees of a juridical entity, who are responsible for the entire or a substantial part of the entity's operations in Jordan, receiving general supervision or direction principally from higher level executives, the board of directors or stock-holders of the business.</p> <p><u>Managers</u> Natural persons who direct the juridical entity, or department or subdivision of the juridical entity, supervise and control the work of supervisory, professional or managerial employees, have the authority to hire and fire or recommend hiring, firing, or other personnel actions and exercise discretionary authority over day-to-day operations at a senior level.</p> <p><u>Specialists</u> Natural persons employed by a juridical entity and possess knowledge at an advanced level of expertise and proprietary knowledge of a juridical entity product, service, research, equipment, techniques, or management.</p>		
	<p><u>Professionals</u> Natural persons seeking to engage, as part of services contract granted by a juridical entity engaged in substantive business in Jordan and obtained by a juridical entity of another Member, (other than entities providing services as defined by CPC872) which has no commercial presence in Jordan in the activity at a professional level. The person must possess the necessary academic credentials and professional qualifications, which have been duly recognized, where appropriate by the professional association in Jordan. The commitment relates only to the service activity which is the subject of the contract.</p>		

Modes of supply: 1) Cross-Border supply 2) Consumption abroad 3) Commercial presence
4) Presence of natural persons

Sector or sub-sector	Limitations on market access	Limitations on national treatment	Additional commitments
	Work permits for all categories are granted on the basis of an economic needs test, i.e. to candidates whose qualifications are not available in Jordanians or those who are seeking work in fields in which Jordanians are in short supply. Intra-corporate transferees who are executives, managers and specialists (as defined above) are presumed to meet the economic needs test requirements.		
	Temporary work and residency permits are required. Such permits are issued for a maximum period of one year, but are renewable.		
		<u>Residency requirements:</u> (4) Managing director of a branch or juridical entity must be resident in Jordan.	

8. HEALTH RELATED & SOCIAL SERVICES

Commercial presence (in mode 3) is subject to 51% foreign equity limitation. Starting no later than 1 January 2004, 100% foreign equity will be permitted.

A. Hospital services (CPC 9311) C. Social services (CPC 933). Specifically, these are nursing homes, convalescent homes, rehabilitation centers	(1) None (2) None (3) One of the owners must be a physician except in a public limited company. (4) Unbound, except as indicated in the horizontal section. At least ¾ of physicians in any hospital or nursing or convalescent homes must be Jordanian nationals; at least ½ of all staff must be Jordanian nationals.	(1) None (2) None (3) None (4) Unbound, except as indicated in the horizontal section.	
B. Other human health services, specifically medical labs (CPC 93199)	(1) None (2) None (3) None, except lab. director must be a Jordanian national. (4) Unbound, except as indicated in the horizontal section. Lab. director must be a Jordanian national.	(1) None (2) None (3) None (4) Unbound, except as indicated in the horizontal section.	

m. Sectoral Ministries and Professional Associations Report

Sectoral Ministries and professional associations have to observe certain commitments imposed upon Jordan as a result for the WTO accession. These commitments are mainly in the following fields:

1. Subsidies and domestic support

Article XVI GATT and The Agreement on Subsidies and Countervailing Measures (SCM) discipline the use of subsidies.

SCM Agreement clarifies and complements Article XVI of the GATT 1994 on subsidies and Article VI on anti-dumping and countervailing duties. The Agreement provides greater transparency by defining the concept of subsidy and clarifying the rules for the imposition and collection of countervailing duties. This agreement does two things: it disciplines the use of subsidies, and it regulates the actions countries can take to counter the effects of subsidies. It says a country can use the WTO's dispute settlement procedure to seek the withdrawal of the subsidy or the removal of its adverse effects. Or the country can launch its own investigation and ultimately charge extra duty (known as "countervailing duty") on subsidized imports that are found to be hurting domestic producers. A subsidy is defined by Article 1 as a financial contribution or any form of income or price support by a government or any other public body and which confers a benefit. To determine whether a benefit exists, one generally compares the situation concerned with prevailing market conditions.

Jordan is committed that any subsidy programmes shall be administered in conformity with the Agreement on Subsidies and Countervailing Measures. All necessary information on such programmes shall be notified to the Committee on Subsidies and Countervailing Measures in accordance with Article 25 of the Agreement (WP report para. 131). In the case of agricultural subsidies, Jordan is committed to bind agricultural export subsidies at zero (WP report para. 189).

In regards to domestic support, there are, under the Agriculture Agreement, two categories of domestic support — support with no, or minimal, distortive effect on trade on the one hand (often referred to as "Green Box" measures) and trade-distorting support on the other hand (often referred to as "Amber Box" measures). For example, government provided agricultural research or training is considered to be of the former type, while government buying-in at a guaranteed price ("market price support") falls into the latter category. Under the Agreement on Agriculture, all domestic support in favour of agricultural producers is subject to rules. In addition, the aggregate monetary value of Amber Box measures is, with certain exceptions,

subject to reduction commitments as specified in the schedule of each WTO Member providing such support. The reduction commitments are expressed in terms of a “Total Aggregate Measurement of Support” (Total AMS) which includes all product-specific support and non-product-specific support in one single figure. Members with a Total AMS have to reduce base period support by 20 per cent over 6 years (developed country Members) or 13 per cent over 10 years (developing country Members). In any year of the implementation period, the Current Total AMS value of non-exempt measures must not exceed the scheduled Total AMS limit as specified in the schedule for that year. In other words, the maximum levels of such support are bound in the WTO.

Jordan had AMS of JD 1,539,199 and Jordan is committed to reduce this by 13.3 per cent over seven years from the date of accession. (WP Report 189)

To sum up, the relevant state bodies in Jordan (the Ministry of Agriculture, the Ministry of Finance, the Central Bank, and the Investment Promotion Corporation) must observe the following:

- - Any subsidy programs shall be administered in conformity with the Agreement on Subsidies Countervailing Measures.
- No subsidies contingent upon export (export subsidies) for agricultural products
- Domestic support may not exceed 10% of total value of agricultural output
- The total Aggregate Measure of Support (estimated at JD 1,539,199 during period 1994-1996) must be reduced by 13.3% over a period of 7 years from the date of accession.

2. Making and Enforcing Policies

Jordan is committed that if Jordanian laws or other acts should be found to contradict international treaties or agreements, the provisions of the international treaty or agreement, such as the WTO, would apply. (WP report para. 43)

The provisions of the WTO Agreement, including Jordan’s Protocol of Accession, shall be applied uniformly throughout Jordan’s customs territory and other territories under its control, including in regions engaging in border trade or frontier traffic, special economic zones, and other areas where special regimes for tariffs, taxes and regulations are established. In situation where WTO provisions were not being applied or were applied in a non-uniform manner, central authorities would act to enforce WTO provisions without requiring affected parties to petition through the courts. (WP report para. 43)

3. Quantitative import restrictions

Jordan is committed that it would not introduce, re-introduce or apply quantitative restrictions on imports, or other non-tariff measures such as licensing, quotas, bans, permits, prior authorization requirements, licensing requirements and other restrictions having equivalent effect that cannot be justified under the provisions of the WTO Agreement. Any amendments to the import licensing regime shall be fully in accordance with all relevant provisions of the WTO, including the Agreement on Import Licensing Procedures. Any suspension of imports and exports or applying licensing requirements that could be used to suspend, ban, or otherwise restrict the quantity of trade shall be applied in conformity with the requirements of the WTO, in particular Articles XI, XII, XIII, XVIII, XIX, XX and XXI of the GATT 1994, and Agreement on Agriculture, Application of Sanitary and Phytosanitary Measures, Import Licensing Procedures, Safeguards and Technical Barriers to Trade. Thus, in applying any policy, decision or action the Jordan shall not impose any restrictions that may affect imports of goods. (Working Party Report para. 88)

Finally, in regards to Other Duties and Charges, Jordan is not permitted to apply any Other Duties and Charges in addition to those that reflect the cost of services rendered in accordance with Article VIII of the GATT 1994. Further, Jordan is committed not to list any other charges in its Goods Market Access Schedule under Article II:1(b) of the GATT 1994, binding such charges at "zero". (WP report para 59)

n. Parliament Report

The accession to the WTO on 11th of April 2000 has imposed various commitments on the Jordanian parliament. Those commitments are categorized as follows:

Firstly, Rules Commitments

This category of commitments refers to commitments stated in the Working Party Report and must be observed by relevant state bodies before making decisions, adopting policies, or taking legal measures that affect Jordan's foreign trade regime.

1. Quantitative import restrictions

Jordan is committed that it would not introduce, re-introduce or apply quantitative restrictions on imports, or other non-tariff measures such as licensing, quotas, bans, permits, prior authorization requirements, licensing requirements and other restrictions having equivalent effect that cannot be justified under the provisions of the WTO Agreement. Any amendments to the import licensing regime shall be fully in accordance with all relevant provisions of the WTO, including the Agreement on Import Licensing Procedures. Any suspension of imports and exports or applying licensing requirements that could be used to suspend, ban, or otherwise restrict the quantity of trade shall be applied in conformity with the requirements of the WTO, in particular Articles XI, XII, XIII, XVIII, XIX, XX and XXI of the GATT 1994, and Agreement on Agriculture, Application of Sanitary and Phytosanitary Measures, Import Licensing Procedures, Safeguards and Technical Barriers to Trade. Thus, in applying any policy, decision or action the Parliament shall not impose any restrictions that affect imports of goods. (Working Party Report para. 88)⁷

Further, in regards to Other Duties and Charges, Jordan is not permitted to apply any Other Duties and Charges in addition to those that reflect the cost of services rendered in accordance with Article VIII of the GATT 1994. Further, Jordan is committed not to list any other charges in its Goods Market Access Schedule under Article II:1(b) of the GATT 1994, binding such charges at "zero". (WP report para 59)

2. Making and Enforcing Policies

Jordan is committed that if Jordanian laws or other acts should be found to contradict international treaties or agreements, the provisions

⁷ Report of the Working Party on the Accession of Jordan (WT/ACC/JOR/33)

of the international treaty or agreement, such as the WTO, would apply. (WP report para. 43)

The provisions of the WTO Agreement, including Jordan's Protocol of Accession, shall be applied uniformly throughout Jordan's customs territory and other territories under its control, including in regions engaging in border trade or frontier traffic, special economic zones, and other areas where special regimes for tariffs, taxes and regulations are established. In situation where WTO provisions were not being applied or were applied in a non-uniform manner, central authorities would act to enforce WTO provisions without requiring affected parties to petition through the courts. (WP report para. 43)

Secondly, Legal Commitments

This category refers to laws, regulations, instructions, and decision that must be in enacted, amended or cancelled in order to conform to the WTO requirements. The table below shows a number of laws that have been or have to be enacted or amended by the parliament in order bring Jordan in conformity with the WTO.

Law	Agreement(s)	Notes
Amendments to the Customs Law	Customs Valuation Rules of Origin, GATT 1994 (article VIII) TRIPS (border enforcement of intellectual property rights)	The law has been amended in accordance with WTO rules in 2000
Law on Trade Secrets/Unfair Competition	TRIPS	The law has been enacted in 2000
Law on Plant Variety Protection	TRIPS	The law has been enacted in 2000.
Law on Standards and Metrology	TBT	The law has been enacted in 2000
Law on Agriculture	SPS (Plant and animal) TBT (Seeds) Agriculture	A temporary law was issued in 2002. The law still needs a ratification from the parliament
Amendments to the Law on Public Health No. 21 of 1971	SPS (food)	The Law No.21 of 1971 was replaced by a new law in 2002. however, the 2002 Law is a temporary law and needs a ratification from the parliament.
Law on Food Monitor	SPS (food)	A temporary law was issued in 2001 and was amended two times in 2003. the law still needs a ratification from the Parliament.

Law	Agreement(s)	Notes
Law for the Protection of Integrated Designs of 2000	TRIPS	The Law has been enacted in 2000
Law on Geographical Indications	TRIPS	The law was enacted in 2000
Law on Imports and Export	GATT 1994 (Article I, III, and XI) Import Licensing	The law was enacted in 2000 and was amended in 2003.
Amendments to the Law on General Sales Tax	GATT Article III	The law has been amended six times since 2000. the latest amendment was in 2004
Amendments Law on Unifying Fees and Taxes	GATT 1994 (Article VIII) Specific duties on calves and sheep 2% fee of re-export	The law was amended in 2000

o. Muhafez Report

Following to Jordan's accession to the WTO, any person takes the role of Muhafez has to observe some commitments imposed upon Jordan. These commitments are called Rules Commitments. This kind of commitments refers to commitments stated in the Working Party Report and must be taken in account by the relevant agency before making decisions, adopting policies, or taking legal measures that affect Jordan's foreign trade regime. The Muhafez's rules commitments are related to:

1. Framework For Making And Enforcing Policies

Jordan is committed that if Jordanian laws or other acts should be found to contradict international treaties or agreements, the provisions of the international treaty or agreement, such as the WTO, would apply. (WP report para. 43)

The provisions of the WTO Agreement, including Jordan's Protocol, shall be applied uniformly throughout Jordan's customs territory and other territories under its control, including in regions engaging in border trade or frontier traffic, special economic zones, and other areas where special regimes for tariffs, taxes and regulations are established. In situation where WTO provisions were not being applied or were applied in a non-uniform manner, central authorities would act to enforce WTO provisions without requiring affected parties to petition through the courts. (WP report para. 43)

2. Pricing Policies

Art.III (1) GATT provides that WTO members recognize that internal taxes and other internal charges, and laws, regulations and requirements affecting the internal sale, offering for sale, purchase, transportation, distribution or use of products, and internal quantitative regulations requiring the mixture, processing or use of products in specified amounts or proportions, should not be applied to imported or domestic products so as to afford protection to domestic production. Paragraph 9 from the same article provides that that internal maximum price control measures can have effects prejudicial to the interests of WTO members supplying imported products. Accordingly, WTO members applying such measures shall take account of the interests of exporting contracting parties with a view to avoiding to the fullest practicable extent such prejudicial effects.

Jordan is committed to apply the price and profitability controls in a WTO-consistent fashion, and would take account of the interests of exporting WTO Members as provided for in Article III:9 of the GATT 1994. Also, Jordan is committed to publish any list of goods and services subject to State price controls in the Official Journal, including any changes regarding existing price controls. (WP Report Para. 32).

p. Ministry of Foreign Affairs of Jordan

Following to Jordan's accession to the WTO, Ministry of Foreign Affairs has become concerned with various types of commitments imposed upon Jordan. Such commitments could be called **Rules Commitments**. This category of commitments refers to commitments stated in the Working Party Report and must be observed by relevant state bodies before making decisions, adopting policies, or taking legal measures that affect Jordan's foreign trade regime.

Rules Commitments imposed upon Ministry of Foreign Affairs could be simplified as the following:

1. Framework For Making And Enforcing Policies

Jordan is committed that if Jordanian laws or other acts should be found to contradict international treaties or agreements, the provisions of the international treaty or agreement, such as the WTO, would apply. (WP report para. 43)

The provisions of the WTO Agreement, including Jordan's Protocol of Accession, shall be applied uniformly throughout Jordan's customs territory and other territories under its control, including in regions engaging in border trade or frontier traffic, special economic zones, and other areas where special regimes for tariffs, taxes and regulations are established. In situation where WTO provisions were not being applied or were applied in a non-uniform manner, central authorities would act to enforce WTO provisions without requiring affected parties to petition through the courts. (WP report para. 43)

2. Pricing Policies

Art.III (1) GATT provides that WTO members recognize that internal taxes and other internal charges, and laws, regulations and requirements affecting the internal sale, offering for sale, purchase, transportation, distribution or use of products, and internal quantitative regulations requiring the mixture, processing or use of products in specified amounts or proportions, should not be applied to imported or domestic products so as to afford protection to domestic production. Paragraph 9 from the same article provides that that internal maximum price control measures can have effects prejudicial to the interests of WTO members supplying imported products. Accordingly, WTO members applying such measures shall take account of the interests of exporting contracting parties with a view to avoiding to the fullest practicable extent such prejudicial effects.

Jordan is committed to apply the price and profitability controls in a WTO-consistent fashion, and would take account of the interests of exporting WTO Members as provided for in Article III:9 of the GATT

1994. Also, Jordan is committed to publish any list of goods and services subject to State price controls in the Official Journal, including any changes regarding existing price controls. (WP Report Para. 32)

3. Quantitative import restrictions

Jordan is committed that it would not introduce, re-introduce or apply quantitative restrictions on imports, or other non-tariff measures such as licensing, quotas, bans, permits, prior authorization requirements, licensing requirements and other restrictions having equivalent effect that cannot be justified under the provisions of the WTO Agreement. Any amendments to the import licensing regime shall be fully in accordance with all relevant provisions of the WTO, including the Agreement on Import Licensing Procedures. Any suspension of imports and exports or applying licensing requirements that could be used to suspend, ban, or otherwise restrict the quantity of trade shall be applied in conformity with the requirements of the WTO, in particular Articles XI, XII, XIII, XVIII, XIX, XX and XXI of the GATT 1994, and Agreement on Agriculture, Application of Sanitary and Phytosanitary Measures, Import Licensing Procedures, Safeguards and Technical Barriers to Trade. Thus, in applying any policy, decision or action the Ministry shall not impose any restrictions that may affect imports of goods. (Working Party Report para. 88)

Further, in regards to Other Duties and Charges, Art.VIII GATT deals with fees and formalities related to imports and exports. The said article provides that All fees and charges of whatever character (other than import and export duties and other than taxes under the scope of Article III) imposed by contracting parties on or in connection with importation or exportation shall be limited in amount to the approximate cost of services rendered and shall not represent an indirect protection to domestic products or a taxation of imports or exports for fiscal purposes. Further, the number and diversity of such fees and charges shall be reduced as much as possible. The provisions of this Article extend to fees, charges, formalities and requirements imposed by governmental authorities in connection with importation and exportation, including consular transactions, such as consular invoices and certificates.

Jordan is not permitted to apply any Other Duties and Charges in addition to those that reflect the cost of services rendered in accordance with Article VIII of the GATT 1994. Further, Jordan is committed not to list any other charges in its Goods Market Access Schedule under Article II:1(b) of the GATT 1994, binding such charges at "zero". (WP report para 59)

q. Council of Ministers

Further to Jordan's accession to the WTO on 11th of April 2000, Council of Ministers has become concerned with various commitments imposed on the Jordan. Those commitments are categorized as follows

Firstly, Rules Commitments

This category of commitments refers to commitments stated in the Working Party Report and must be observed by relevant state bodies before making decisions, adopting policies, or taking legal measures that affect Jordan's foreign trade regime

I. Making and Enforcing Policies

Jordan is committed that if Jordanian laws or other acts should be found to contradict international treaties or agreements, the provisions of the international treaty or agreement, such as the WTO, would apply. (WP report para. 43)

The provisions of the WTO Agreement, including Jordan's Protocol of Accession, shall be applied uniformly throughout Jordan's customs territory and other territories under its control, including in regions engaging in border trade or frontier traffic, special economic zones, and other areas where special regimes for tariffs, taxes and regulations are established. In situation where WTO provisions were not being applied or were applied in a non-uniform manner, central authorities would act to enforce WTO provisions without requiring affected parties to petition through the courts. (WP report para. 43)

II. Pricing Policies

Art.III (1) GATT provides that WTO members recognize that internal taxes and other internal charges, and laws, regulations and requirements affecting the internal sale, offering for sale, purchase, transportation, distribution or use of products, and internal quantitative regulations requiring the mixture, processing or use of products in specified amounts or proportions, should not be applied to imported or domestic products so as to afford protection to domestic production. Paragraph 9 from the same article provides that that internal maximum price control measures can have effects prejudicial to the interests of WTO members supplying imported products. Accordingly, WTO members applying such measures shall take account of the interests of exporting contracting parties with a view to avoiding to the fullest practicable extent such prejudicial effects.

Jordan is committed to apply the price and profitability controls in a WTO-consistent fashion, and would take account of the interests of exporting WTO Members as provided for in Article III:9 of the GATT 1994. Also, Jordan is committed to publish any list of goods and services subject to State price controls in the Official Journal, including any changes regarding existing price controls. (WP Report Para. 32)

Secondly, Legal Commitments

This category refers to laws, regulations, instructions, decisions and legal measures that must be enacted, amended, cancelled or fulfilled in order to conform to the WTO requirements. The table below shows a number of legal measures that have been or have to be achieved by Council of Ministers in order to bring Jordan in conformity with the WTO.

Law/Regulations/Instructions or Legal Measures	Agreement(s)	Notes
Amendments to the Customs Law	<ul style="list-style-type: none"> • Customs Valuation • Rules of Origin, GATT 1994 (article VIII) • TRIPS (border enforcement of intellectual property rights) 	The law has been amended in accordance with WTO rules in 2000
Law on Agriculture	<ul style="list-style-type: none"> • SPS (Plant and animal) • TBT (Seeds) • Agriculture 	A temporary law was issued by the Council in 2002. The law still needs a ratification from the parliament
Amendments to the Law on Public Health No. 21 of 1971	SPS (food)	The Law No.21 of 1971 was replaced by a new law in 2002. however, the 2002 Law is a temporary law and needs a ratification from the parliament.
Law on Food Monitor	SPS (food)	A temporary law was issued by the Council in 2001 and was amended two times in 2003. the law still needs a ratification from the Parliament.
Cancellation of regulations on consular services fees (to eliminate consular fees)	GATT Article VIII	Jordan has cancelled the Regulations on Consular Services Fees No.1 for the year 1989 and issued new regulations (Regulations on Consular Services Fees for the year 2000). The new Regulations have decreased substantially

Law/Regulations/ Instructions or Legal Measures	Agreement(s)	Notes
		the consular fees in member countries at the WTO, Art.2 of the Regulation imposes 21 JD fixed fees for confirmation of commercial documents in any country member to the WTO
Cancellation of the Agriculture Marketing Organization Law	State Trading Enterprises (art. XVII GATT) Governmental Assistance to Economic Development (art. XVIII GATT	a law was issued in 2002 which cancels the Agriculture Marketing Organization Law. The Law replaced AMO by Ministry of Agriculture to carry out the activities of AMO.

Thirdly, Services Commitments

WTO principles of freer and fairer trade apply also on services. These principles appear in the General Agreement on Trade in Services (GATS). WTO members have made individual commitments under GATS stating which of their services sectors they are willing to open to foreign competition, and how accessible those markets are.

In this Manual, Service Commitments category refers to specific commitments in the Service Sector that must be observed by the Council in making policy change or making a decision on a specific investment in the service sector.

Services commitments under the GATS are registered in schedules. Each Member of the WTO is required to have a schedule in which it registers its commitments to provide market access and national treatment to services and service suppliers of other Members. When making a commitment, a Member binds the level of market access and national treatment specified in the schedule and undertakes not to impose any new measures that would restrict entry into the market or discriminate in favour of services or services suppliers of national origin. A specific commitment thus has an effect similar to a tariff binding under the GATT. Commitments can only be withdrawn or modified after negotiation and agreement with other Members on a compensatory adjustment through which the modifying Member offers alternative commitments. However, new commitments and improvements to existing ones can be added at any time.

In nearly all schedules, commitments are divided into two sections: "horizontal" and "sector-specific" commitments. The horizontal section

contains limitations which apply to all sectors included in the schedule. These often refer to particular modes of supply, notably commercial presence and movement of natural persons. The only purpose of having a section for horizontal commitments is to avoid repeating the same entry in relation to each sector contained in the schedule. Any evaluation of sector-specific commitments must therefore take into account the horizontal entries.

A schedule for the specific commitments related to the Council is added below. In regards to formatting, all schedules conform to a standard formula which is intended to facilitate comparative analysis. For each sector or sub-sector inscribed, the schedule must indicate, with respect to the four modes of supply set out in Articles (I, paragraph 2 GATS) any limitations on market access or national treatment which are to be maintained.

The said four modes are:

1. Cross border supply: the possibility for non-resident service suppliers to supply services cross-border into the Member's territory.
2. Consumption abroad: the freedom for the Member's residents to purchase services in the territory of another Member
3. Commercial presence: the opportunities for foreign service suppliers to establish, operate or expand a commercial presence in the Member's territory, such as a branch, agency, or wholly-owned subsidiary
4. Presence of natural persons: the possibilities offered for the entry and temporary stay in the Member's territory of foreign individuals in order to supply a service.

A commitment therefore consists of eight entries which indicate the presence or absence of market access and/or national treatment limitations with respect to each mode of supply. The first column in the standard format contains the sector or sub-sector which is the subject of the commitment; the second column contains limitations on market access; the third column contains limitations on national treatment. In the fourth column, if any, a Member may enter any additional commitments relating to matters which are not subject to scheduling under market access or national treatment including those regarding qualifications, standards or licensing matters.

Finally, Most-Favoured-Nation treatment (MFN) is a general obligation that applies to all measures affecting trade in services. MFN consists of the commitment by a Member of WTO immediately and unconditionally to accord to any other Member of the WTO all the advantages it would accord to any other country. However, particular measures inconsistent with the MFN obligation can be maintained. Such measures must have been specified in a list of MFN Exemptions submitted by the member. Jordan has submitted a list of MFN exemptions attached to the schedule of specific commitments.

Modes of supply: 1)Cross-Border supply 2)Consumption abroad 3)Commercial presence 4) Presence of natural persons

Sector or sub-sector	Limitations on market access	Limitations on national treatment	Additional commitments
A. HORIZONTAL COMMITMENTS			
All sectors included in this schedule			
		Regarding subsidies, modes (1), (2), (3) and (4) are Unbound.	
		(3) Foreign investments may not be less than JD 50,000. This does not apply to investments in public shareholding companies.	
		<u>Real Estate:</u> (3) All purchase of real estate by non-Jordanian firms must be related to the approved business activities and is subject to Cabinet authorization. Lease of real estate by non- Jordanian firms for more than three years is subject to Cabinet approval. All juridical entities are prohibited from engaging in real estate trading. <u>State Owned Land:</u> (3) Authorization for purchase or lease of state owned lands is restricted to Jordanian nationals.	
	(3) All investments in public utilities are generally subject to concession. In sectors where service provision is granted by concession, commercial establishment must be in the form of Public Shareholding Companies.		
	(4) Unbound except for measures concerning the entry and temporary stay of a natural person who falls in one of the following categories:	(4) Unbound, except for measures affecting the categories referred to under market access.	

Modes of supply: 1)Cross-Border supply 2)Consumption abroad 3)Commercial presence 4) Presence of natural persons

Sector or sub-sector	Limitations on market access	Limitations on national treatment	Additional commitments
	<p><u>Business visitors</u> A natural person who stays in Jordan without acquiring remuneration from within Jordan and without engaging in making direct sales to the general public or supplying services, for the purposes of participating in business meetings, business contacts including negotiations for the sale of services and/or other similar activities including those to prepare for establishing a commercial presence in Jordan. Entry and stay shall be for a period of 90 days.</p> <p><u>Intra-Corporate Transferees</u> Natural persons employed by a juridical entity of another member for a period of not less than one year and who seek temporary stay in order to render services to (i) the same juridical entity which is engaged in substantive business operation in Jordan or (ii) a juridical entity constituted in Jordan and engaged in substantive business operation in Jordan which is owned by or controlled by or affiliated with the aforementioned juridical entity.</p>		

Modes of supply: 1)Cross-Border supply presence 2)Consumption abroad 3)Commercial presence 4) Presence of natural persons

Sector or sub-sector	Limitations on market access	Limitations on national treatment	Additional commitments
	<p><u>Executives</u> Natural persons who are senior employees of a juridical entity, who are responsible for the entire or a substantial part of the entity's operations in Jordan, receiving general supervision or direction principally from higher level executives, the board of directors or stock-holders of the business.</p> <p><u>Managers</u> Natural persons who direct the juridical entity, or department or subdivision of the juridical entity, supervise and control the work of supervisory, professional or managerial employees, have the authority to hire and fire or recommend hiring, firing, or other personnel actions and exercise discretionary authority over day-to-day operations at a senior level.</p> <p><u>Specialists</u> Natural persons employed by a juridical entity and possess knowledge at an advanced level of expertise and proprietary knowledge of a juridical entity product, service, research, equipment, techniques, or management.</p>		

Modes of supply: 1)Cross-Border supply 2)Consumption abroad 3)Commercial presence 4) Presence of natural persons

Sector or sub-sector	Limitations on market access	Limitations on national treatment	Additional commitments
	<p><u>Professionals</u> Natural persons seeking to engage, as part of services contract granted by a juridical entity engaged in substantive business in Jordan and obtained by a juridical entity of another Member, (other than entities providing services as defined by CPC872) which has no commercial presence in Jordan in the activity at a professional level. The person must possess the necessary academic credentials and professional qualifications, which have been duly recognized, where appropriate by the professional association in Jordan. The commitment relates only to the service activity which is the subject of the contract.</p> <p>Work permits for all categories are granted on the basis of an economic needs test, i.e. to candidates whose qualifications are not available in Jordanians or those who are seeking work in fields in which Jordanians are in short supply.</p> <p>Intra-corporate transferees who are executives, managers and specialists (as defined above) are presumed to meet the economic needs test requirements.</p>		

Modes of supply: 1)Cross-Border supply 2)Consumption abroad 3)Commercial presence 4) Presence of natural persons

Sector or sub-sector	Limitations on market access	Limitations on national treatment	Additional commitments
	Temporary work and residency—permits are required. Such permits are issued for a maximum period of one year, but are renewable.		
		<u>Residency requirements:</u> (4) Managing director of a branch or juridical entity must be resident in Jordan.	

Sector or sub-sector	Limitations on market access	Limitations on national treatment
		<u>Real Estate:</u> (3) All purchase of real estate by non-Jordanian firms must be related to the approved business activities and is subject to Cabinet authorization.
		Lease of real estate by non-Jordanian firms for more than three years is subject to Cabinet approval.
	(3) All investments in public utilities are generally subject to concession. In sectors where service provision is granted by concession, commercial establishment must be in the form of Public Shareholding Companies.	
(m) Related scientific and technical consulting services (part of CPC 8675) excluding prospecting, surveying, exploration, exploitation and map making	(1) Unbound (2) None (3) Subject to 50% foreign equity limitation. Cabinet authorization is required. Geologists/ geological engineers must be Jordanian nationals. (4) Unbound, except as indicated in the horizontal section. Geologist/geological engineers must be Jordanian nationals.	(1) Unbound. (2) None (3) None (4) Unbound, except as indicated in the horizontal section.

GATS Notifications

GATS art. III (3)	Each Member shall promptly and at least annually inform the Council for Trade in Services of the introduction of any new, or any changes to existing, laws, regulations or administrative guidelines which significantly affect trade in services covered by its specific commitments under this Agreement.
GATS art. V (7)(a)	Members to agreement referred to in paragraph 1 art. V (agreements liberalizing trade in services between or among the parties to such an agreement) shall promptly notify any such agreement and any enlargement or any significant modification of that agreement to the Council for Trade in Services.
<i>GATS, Article XXI (1)(b) Modification of Schedules</i>	A Member shall notify its intent to modify or withdraw a commitment pursuant to this Article no later than three months before the intended date of implementation of the modification or withdrawal.
GATS art. <i>Article X(2) (Emergency Safeguard Measures)</i>	To notify any intention to modify or withdraw a specific commitment after a period of one year from the date on which the commitment enters into force; provided that the Member shows cause to the Council that the modification or withdrawal cannot await the lapse of the three-year period provided for in paragraph 1 of Article XXI.

r. Insurance Regulatory Commission of Jordan

WTO principles of freer and fairer trade apply also on services. These principles appear in the new General Agreement on Trade in Services (GATS). WTO members have made individual commitments under GATS stating which of their services sectors they are willing to open to foreign competition, and how accessible those markets are

Following to Jordan's accession to the WTO, the Insurance Regulatory Commission (IRC) is only concerned with Services Commitments. In this Manual, Service Commitments term shall refer to specific commitments in the Service Sector that must be observed by the IRC in making policy change or making a decision on a specific investment in the service sector.

Services commitments under the GATS are registered in schedules. Each Member of the WTO is required to have a schedule in which it registers its commitments to provide market access and national treatment to services and service suppliers of other Members. When making a commitment, a Member binds the level of market access and national treatment specified in the schedule and undertakes not to impose any new measures that would restrict entry into the market or discriminate in favour of services or services suppliers of national origin. A specific commitment thus has an effect similar to a tariff binding under the GATT. Commitments can only be withdrawn or modified after negotiation and agreement with other Members on a compensatory adjustment through which the modifying Member offers alternative commitments. However, new commitments and improvements to existing ones can be added at any time.

In nearly all schedules, commitments are divided into two sections: "horizontal" and "sector-specific" commitments. The horizontal section contains limitations which apply to all sectors included in the schedule. These often refer to particular modes of supply, notably commercial presence and movement of natural persons. The only purpose of having a section for horizontal commitments is to avoid repeating the same entry in relation to each sector contained in the schedule. Any evaluation of sector-specific commitments must therefore take into account the horizontal entries.

A schedule for the specific commitments related to the IRC is added below. In regards to formatting, all schedules conform to a standard formula which is intended to facilitate comparative analysis. For each sector or sub-sector inscribed, the schedule must indicate, with respect to the four modes of supply set out in Articles (I, paragraph 2 GATS) any limitations on market access or national treatment which are to be maintained.

The said four modes are:

1. Cross border supply: the possibility for non-resident service suppliers to supply services cross-border into the Member's territory.

2. Consumption abroad: the freedom for the Member's residents to purchase services in the territory of another Member
3. Commercial presence: the opportunities for foreign service suppliers to establish, operate or expand a commercial presence in the Member's territory, such as a branch, agency, or wholly-owned subsidiary
4. Presence of natural persons: the possibilities offered for the entry and temporary stay in the Member's territory of foreign individuals in order to supply a service.

A commitment therefore consists of eight entries which indicate the presence or absence of market access and/or national treatment limitations with respect to each mode of supply. The first column in the standard format contains the sector or sub-sector which is the subject of the commitment; the second column contains limitations on market access; the third column contains limitations on national treatment. In the fourth column, if any, a Member may enter any additional commitments relating to matters which are not subject to scheduling under market access or national treatment including those regarding qualifications, standards or licensing matters.

Finally, Most-Favoured-Nation treatment (MFN) is a general obligation that applies to all measures affecting trade in services. MFN consists of the commitment by a Member of WTO immediately and unconditionally to accord to any other Member of the WTO all the advantages it would accord to any other country. However, particular measures inconsistent with the MFN obligation can be maintained. Such measures must have been specified in a list of MFN Exemptions submitted by the member. Jordan has submitted a list of MFN exemptions attached to the schedule of specific commitments.

Modes of supply: 1)Cross-Border supply 2)Consumption abroad 3)Commercial presence 4) Presence of natural persons

Sector or sub-sector	Limitations on market access	Limitations on national treatment	Additional commitments
A. HORIZONTAL COMMITMENTS			
All sectors included in this schedule			
		Regarding subsidies, modes (1), (2), (3) and (4) are Unbound.	
		(3) Foreign investments may not be less than JD 50,000. This does not apply to investments in public share-holding companies.	
		<u>Real Estate:</u> (3) All purchase of real estate by non-Jordanian firms must be related to the approved business activities and is subject to Cabinet authorization. Lease of real estate by non- Jordanian firms for more than three years is subject to Cabinet approval. All juridical entities are prohibited from engaging in real estate trading.	

WTO Introductory Reports

Modes of supply: 1)Cross-Border supply 2)Consumption abroad 3)Commercial presence 4) Presence of natural persons

Sector or sub-sector	Limitations on market access	Limitations on national treatment	Additional commitments
		<p><u>State Owned Land:</u> (3) Authorization for purchase or lease of state owned lands is restricted to Jordanian nationals.</p>	
	<p>(3) All investments in public utilities are generally subject to concession. In sectors where service provision is granted by concession, commercial establishment must be in the form of Public Shareholding Companies.</p>		
	<p>(4) Unbound except for measures concerning the entry and temporary stay of a natural person who falls in one of the following categories: <u>Business visitors</u> A natural person who stays in Jordan without acquiring remuneration from within Jordan and without engaging in making direct sales to the general public or supplying services, for the purposes of participating in business meetings, business contacts including negotiations for the sale of services and/or other similar activities including those to prepare for establishing a commercial presence in Jordan. Entry and stay shall be for a period of 90 days. <u>Intra-Corporate Transferees</u> Natural persons employed by a juridical entity of another member for a period of not less than one year and who seek temporary stay in order to render services to (i) the same juridical entity which is engaged in substantive business operation in Jordan or (ii) a juridical entity constituted in Jordan and engaged in substantive business operation in Jordan which is owned by or controlled by or affiliated with the aforementioned juridical entity.</p>	<p>(4) Unbound, except for measures affecting the categories referred to under market access.</p>	

WTO Introductory Reports

Modes of supply: 1)Cross-Border supply 2)Consumption abroad 3)Commercial presence 4) Presence of natural persons

Sector or sub-sector	Limitations on market access	Limitations on national treatment	Additional commitments
	<p><u>Executives</u> Natural persons who are senior employees of a juridical entity, who are responsible for the entire or a substantial part of the entity's operations in Jordan, receiving general supervision or direction principally from higher level executives, the board of directors or stock-holders of the business.</p> <p><u>Managers</u> Natural persons who direct the juridical entity, or department or subdivision of the juridical entity, supervise and control the work of supervisory, professional or managerial employees, have the authority to hire and fire or recommend hiring, firing, or other personnel actions and exercise discretionary authority over day-to-day operations at a senior level.</p> <p><u>Specialists</u> Natural persons employed by a juridical entity and possess knowledge at an advanced level of expertise and proprietary knowledge of a juridical entity product, service, research, equipment, techniques, or management.</p>		
	<p><u>Professionals</u> Natural persons seeking to engage, as part of services contract granted by a juridical entity engaged in substantive business in Jordan and obtained by a juridical entity of another Member, (other than entities providing services as defined by CPC872) which has no commercial presence in Jordan in the activity at a professional level. The person must possess the necessary academic credentials and professional qualifications, which have been duly recognized, where appropriate by the professional association in Jordan. The commitment relates only to the service activity which is the subject of the contract.</p>		

WTO Introductory Reports

Modes of supply: 1)Cross-Border supply 2)Consumption abroad 3)Commercial presence 4) Presence of natural persons

Sector or sub-sector	Limitations on market access	Limitations on national treatment	Additional commitments
	Work permits for all categories are granted on the basis of an economic needs test, i.e. to candidates whose qualifications are not available in Jordanians or those who are seeking work in fields in which Jordanians are in short supply. Intra-corporate transferees who are executives, managers and specialists (as defined above) are presumed to meet the economic needs test requirements.		
	Temporary work and residency permits are required. Such permits are issued for a maximum period of one year, but are renewable.		
		Residency requirements: (4) Managing director of a branch or juridical entity must be resident in Jordan.	

Sector or sub-sector	Limitations on market access	Limitations on national treatment
7. FINANCIAL SERVICES		
If and when applicable, the absence of any limitation on the ability of a resident consumer to purchase the service in the territory of another Member does not signify a commitment to allow a non-resident service supplier to solicit business or to conduct active marketing in the territory of the Member.		
A. Insurance and insurance – related services		
Commercial presence in the form of public shareholding companies, 100% foreign equity shall be permitted.		
(a) Life, insurance services including health insurance services excluding pension fund management. (b) Non- life insurance services (including accident insurance)	(1) Commercial presence is required. (2) Unbound. (3) Access is restricted to public share holding companies constituted in Jordan and to branches of foreign insurance companies. (4) Unbound, except as indicated in the horizontal section.	(1) Commercial presence is required. (2) Unbound. (3) None (4) Unbound, except as indicated in the horizontal section.

GATS NOTIFICATIONS

The IRC is concerned with certain notification commitments under the GATS. Such notification shall be prepared in coordination with Ministry of Industry and Trade.

GATS art. V (7)(a)	Members to agreement referred to in paragraph 1 art. V (agreements liberalizing trade in services between or among the parties to such an agreement) shall promptly notify any such agreement and any enlargement or any significant modification of
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	that agreement to the Council for Trade in Services.
<i>GATS, Article XXI (1)(b) Modification of Schedules</i>	A Member shall notify its intent to modify or withdraw a commitment pursuant to this Article no later than three months before the intended date of implementation of the modification or withdrawal.
<i>GATS art. Article X(2) (Emergency Safeguard Measures)</i>	To notify any intention to modify or withdraw a specific commitment after a period of one year from the date on which the commitment enters into force; provided that the Member shows cause to the Council that the modification or withdrawal cannot await the lapse of the three-year period provided for in paragraph 1 of Article XXI.

s. Jordan Institute of Standards and Metrology

Following to Jordan's accession to the WTO, Jordan Institute of Standards and Metrology has become committed for various types of commitments which can be categorized as the following:

Firstly, Rules Commitments

This category of commitments refers to commitments stated in the Working Party Report and must be observed by relevant state bodies before making decisions, adopting policies, or taking legal measures that affect Jordan's foreign trade regime.

I. Quantitative import restrictions

Jordan is committed that it would not introduce, re-introduce or apply quantitative restrictions on imports, or other non-tariff measures such as licensing, quotas, bans, permits, prior authorization requirements, licensing requirements and other restrictions having equivalent effect that cannot be justified under the provisions of the WTO Agreement. Any amendments to the import licensing regime shall be fully in accordance with all relevant provisions of the WTO, including the Agreement on Import Licensing Procedures. Any suspension of imports and exports or applying licensing requirements that could be used to suspend, ban, or otherwise restrict the quantity of trade shall be applied in conformity with the requirements of the WTO, in particular Articles XI, XII, XIII, XVIII, XIX, XX and XXI of the GATT 1994, and Agreement on Agriculture, Application of Sanitary and Phytosanitary Measures, Import Licensing Procedures, Safeguards and Technical Barriers to Trade. Thus, in applying any policy, decision or action the Institute shall not impose restrictions effect imports of goods. (Working Party Report para. 88)⁸

In regards to Other Duties and Charges, Jordan is not permitted to apply any Other Duties and Charges in addition to those that reflect the cost of services rendered in accordance with Article VIII of the GATT 1994. Further, Jordan is committed not to list any other charges in its Goods Market Access Schedule under Article II:1(b) of the GATT 1994, binding such charges at "zero". (WP report para 59)

II. Making and Enforcing Policies

Jordan is committed that if Jordanian laws or other acts should be found to contradict international treaties or agreements, the provisions of the international treaty or agreement, such as the WTO, would apply. (WP report para. 43)

⁸ Report of the Working Party on the Accession of Jordan (WT/ACC/JOR/33)

The provisions of the WTO Agreement, including Jordan's Protocol of Accession, shall be applied uniformly throughout Jordan's customs territory and other territories under its control, including in regions engaging in border trade or frontier traffic, special economic zones, and other areas where special regimes for tariffs, taxes and regulations are established. In situation where WTO provisions were not being applied or were applied in a non-uniform manner, central authorities would act to enforce WTO provisions without requiring affected parties to petition through the courts. (WP report para. 43)

III. Pricing Policies

Art.III (1) GATT provides that WTO members recognize that internal taxes and other internal charges, and laws, regulations and requirements affecting the internal sale, offering for sale, purchase, transportation, distribution or use of products, and internal quantitative regulations requiring the mixture, processing or use of products in specified amounts or proportions, should not be applied to imported or domestic products so as to afford protection to domestic production. Paragraph 9 from the same article provides that that internal maximum price control measures can have effects prejudicial to the interests of WTO members supplying imported products. Accordingly, WTO members applying such measures shall take account of the interests of exporting members with a view to avoiding to the fullest practicable extent such prejudicial effects.

Jordan is committed to apply the price and profitability controls in a WTO-consistent fashion, and would take account of the interests of exporting WTO Members as provided for in Article III:9 of the GATT 1994. Also, Jordan is committed to publish any list of goods and services subject to State price controls in the Official Journal, including any changes regarding existing price controls. (WP Report Para. 32)

IV. Trading Rights,

Jordan is committed to make its laws, regulations and requirements relating to the right to import and export and all fees, charges or taxes levied on such rights in full conformity with its WTO obligations, (WP Report Paragraph 53), including:

- GATT VIII:1(a) : that all fees and charges of whatever character (other than import and export duties and other than taxes within the purview of Article III) imposed by members on or in connection with importation or exportation shall be limited in amount to the approximate cost of services rendered and shall not represent an indirect protection to domestic products or a taxation of imports or exports for fiscal purposes.
- GATT XI:1 : that no prohibitions or restrictions other than duties, taxes or other charges shall be instituted or maintained by any member on the importation of any product of the

territory of any other member or on the exportation or sale for export of any product destined for the territory of any other member.

- Art. III:2 and 4 of the GATT: (National Treatment) The products of the territory of any member imported into the territory of any other member shall not be subject, directly or indirectly, to internal taxes or other internal charges of any kind in excess of those applied, directly or indirectly, to like domestic products.

Further, the products of the territory of any member imported into the territory of any other member shall be accorded treatment no less favourable than that accorded to like products of national origin in respect of all laws, regulations and requirements affecting their internal sale, offering for sale, purchase, transportation, distribution or use.

V. Technical barriers, Sanitary and phytosanitary measures

Under the WTO there is an Agreement on the Application of Sanitary and Phytosanitary Measures sets out the basic rules for food safety and animal and plant health standards. It allows countries to set their own standards. But it also says regulations must be based on science. They should be applied only to the extent necessary to protect human, animal or plant life or health. And they should not arbitrarily or unjustifiably discriminate between countries where identical or similar conditions prevail. The agreement still allows countries to use different standards and different methods of inspecting products

The Agreement on Sanitary and Phytosanitary Measures (SPS) builds on previous GATT rules to restrict the use of unjustified sanitary and phytosanitary measures for the purpose of trade protection. The basic aim of the SPS Agreement is to maintain the sovereign right of any government to provide the level of health protection it deems appropriate, but to ensure that these sovereign rights are not misused for protectionist purposes and do not result in unnecessary barriers to international trade

Jordan is committed to apply its sanitary and phytosanitary standards system conformity with WTO provisions under the Agreement on the Application of Sanitary and Phytosanitary Measures. Jordan further is committed not to apply stricter rules than those laid out by international organizations such as OIE will be applied. (WP Report Paragraph 151)

Further, there is an Agreement on Technical Barriers to Trade (TBT) which tries to ensure that regulations, standards, testing and certification procedures do not create unnecessary obstacles. The agreement sets out a code of good practice for the preparation, adoption and application of standards by central government bodies. The agreement says that the procedures used to decide whether a product conforms with national standards have to be fair and equitable.

It discourages any methods that would give domestically produced goods an unfair advantage.

Jordan is committed to comply with all obligations under the WTO Agreement on Technical Barriers to Trade (WP Report Paragraph 140). Jordan is committed to apply voluntary standards or technical regulations, consistent with Article 2 of the TBT Agreement on Preparation, Adoption and Application of Technical Regulations by Central Government Bodies. (WP report, para.137)

Jordan is committed to examine its shelf-life standards (JS:401:1977 and JS 288:1994) in light of international scientific practices on shelf-stable food products to identify shelf-stable products currently appearing on the lists of these two standards. Jordan is committed to introduce regulations and procedures for “highly perishable refrigerated” food products in line with international norms in order to create a scientific regulatory framework for such products (WP Report Paragraph 145)

Jordan is committed to eliminate any unnecessary inspections of imported meat and meat from imported animals and national treatment would be accorded fully to such products as part of Jordan’s program for the development and adoption of guidelines and/or rules for food inspection and testing procedures. The new Law on Agriculture would include provisions of Annex C of the WTO Agreement on the Application of Sanitary and Phytosanitary Measures. Jordan is committed that all instructions and testing procedures would be in accordance with the WTO Agreement on the Application of Sanitary and Phytosanitary Measures, in particular its Annex C. (WP Report Paragraph 149)

Secondly, Notification Commitments

This category refers to notifications that the Institute must provide to the WTO. The Institute has to prepare a draft of notification in coordination with Ministry of Industry and Trade which is the focal point in submitting notifications to the WTO.

Notification Requirement	Type of Measure
Agreement on Technical Barriers to Trade, Annex 3 paragraph C	Acceptance of/withdrawal from a code (Code of Good Practice for the Preparation, Adoption and Application of Standards)
Annex B, paragraph 3	Enquiry Point
Annex B, paragraph 10	Notification Authority
Agreement on Technical Barriers to Trade, Article 15.2	Administrative arrangements; laws/regulations measures in existence or taken to ensure the implementation and administration of the TBT Agreement
Agreement on Technical Barriers to Trade, Annex 3 paragraph J	Work programmes on standardization activities

t. Jordan Securities Commission

WTO principles of freer and fairer trade apply also on services. These principles appear in the new General Agreement on Trade in Services (GATS). WTO members have made individual commitments under GATS stating which of their services sectors they are willing to open to foreign competition, and how accessible those markets are. Following to Jordan's accession to the WTO, Jordan Securities Commission has become committed to certain service commitments.

In this Manual, Service Commitments refer to specific commitments in the Service Sector that must be observed by the Commission in making policy change or making a decision on a specific investment in the service sector.

Service commitments under the GATS are registered in schedules. Each Member of the WTO is required to have a schedule in which it registers its commitments to provide market access and national treatment to services and service suppliers of other Members. When making a commitment, a Member binds the level of market access and national treatment specified in the schedule and undertakes not to impose any new measures that would restrict entry into the market or discriminate in favour of services or services suppliers of national origin. A specific commitment thus has an effect similar to a tariff binding under the GATT. Commitments can only be withdrawn or modified after negotiation and agreement with other Members on a compensatory adjustment through which the modifying Member offers alternative commitments. However, new commitments and improvements to existing ones can be added at any time.

In nearly all schedules, commitments are divided into two sections: "horizontal" and "sector-specific" commitments. The horizontal section contains limitations which apply to all sectors included in the schedule. These often refer to particular modes of supply, notably commercial presence and movement of natural persons. The only purpose of having a section for horizontal commitments is to avoid repeating the same entry in relation to each sector contained in the schedule. Any evaluation of sector-specific commitments must therefore take into account the horizontal entries.

A schedule for the specific commitments related to the Commission is added below. In regards to formatting, all schedules conform to a standard formula which is intended to facilitate comparative analysis. For each sector or sub-sector inscribed, the schedule must indicate, with respect to the four modes of supply set out in Articles (I, paragraph 2 GATS) any limitations on market access or national treatment which are to be maintained.

The said four modes are (in the schedule, such modes will be referred to by their red numbers):

1. Cross border supply: the possibility for non-resident service suppliers to supply services cross-border into the Member's territory.
2. Consumption abroad: the freedom for the Member's residents to purchase services in the territory of another Member

3. Commercial presence: the opportunities for foreign service suppliers to establish, operate or expand a commercial presence in the Member's territory, such as a branch, agency, or wholly-owned subsidiary
4. Presence of natural persons: the possibilities offered for the entry and temporary stay in the Member's territory of foreign individuals in order to supply a service.

A commitment therefore consists of eight entries which indicate the presence or absence of market access and/or national treatment limitations with respect to each mode of supply. The first column in the standard format contains the sector or sub-sector which is the subject of the commitment; the second column contains limitations on market access; the third column contains limitations on national treatment. In the fourth column, if any, a Member may enter any additional commitments relating to matters which are not subject to scheduling under market access or national treatment.

Finally, Most-Favoured-Nation treatment (MFN) is a general obligation that applies to all measures affecting trade in services. MFN consists of the commitment by a Member of WTO immediately and unconditionally to accord to any other Member of the WTO all the advantages it would accord to any other country. However, particular measures inconsistent with the MFN obligation can be maintained. Such measures must have been specified in a list of MFN Exemptions submitted by the member. Jordan has submitted a list of MFN exemptions attached to the schedule of specific commitments.

Modes of supply: 1)Cross-Border supply 2)Consumption abroad 3)Commercial presence 4) Presence of natural persons

Sector or sub-sector	Limitations on market access	Limitations on national treatment	Additional commitments
A. HORIZONTAL COMMITMENTS			
All sectors included in this schedule			
		Regarding subsidies, modes (1), (2), (3) and (4) are Unbound.	
		(3) Foreign investments may not be less than JD 50,000. This does not apply to investments in public share-holding companies.	
		<u>Real Estate:</u> (3) All purchase of real estate by non-Jordanian firms must be related to the approved business activities and is subject to Cabinet authorization. Lease of real estate by non- Jordanian firms for more than three years is subject to Cabinet approval. All juridical entities are prohibited from engaging in real estate trading. <u>State Owned Land:</u> (3) Authorization for purchase or lease of state owned lands is restricted to Jordanian nationals.	

WTO Introductory Reports

Modes of supply: 1)Cross-Border supply 2)Consumption abroad 3)Commercial presence 4) Presence of natural persons

Sector or sub-sector	Limitations on market access	Limitations on national treatment	Additional commitments
	<p>(3) All investments in public utilities are generally subject to concession. In sectors where service provision is granted by concession, commercial establishment must be in the form of Public Shareholding Companies.</p>		
	<p>(4) Unbound except for measures concerning the entry and temporary stay of a natural person who falls in one of the following categories: <u>Business visitors</u> A natural person who stays in Jordan without acquiring remuneration from within Jordan and without engaging in making direct sales to the general public or supplying services, for the purposes of participating in business meetings, business contacts including negotiations for the sale of services and/or other similar activities including those to prepare for establishing a commercial presence in Jordan. Entry and stay shall be for a period of 90 days. <u>Intra-Corporate Transferees</u> Natural persons employed by a juridical entity of another member for a period of not less than one year and who seek temporary stay in order to render services to (i) the same juridical entity which is engaged in substantive business operation in Jordan or (ii) a juridical entity constituted in Jordan and engaged in substantive business operation in Jordan which is owned by or controlled by or affiliated with the aforementioned juridical entity.</p>	<p>(4) Unbound, except for measures affecting the categories referred to under market access.</p>	

WTO Introductory Reports

Modes of supply: 1)Cross-Border supply 2)Consumption abroad 3)Commercial presence 4) Presence of natural persons

Sector or sub-sector	Limitations on market access	Limitations on national treatment	Additional commitments
	<p><u>Executives</u> Natural persons who are senior employees of a juridical entity, who are responsible for the entire or a substantial part of the entity's operations in Jordan, receiving general supervision or direction principally from higher level executives, the board of directors or stock-holders of the business.</p> <p><u>Managers</u> Natural persons who direct the juridical entity, or department or sub-division of the juridical entity, supervise and control the work of supervisory, professional or managerial employees, have the authority to hire and fire or recommend hiring, firing, or other personnel actions and exercise discretionary authority over day-to-day operations at a senior level.</p> <p><u>Specialists</u> Natural persons employed by a juridical entity and possess knowledge at an advanced level of expertise and proprietary knowledge of a juridical entity product, service, research, equipment, techniques, or management.</p>		

WTO Introductory Reports

Modes of supply: 1)Cross-Border supply 2)Consumption abroad 3)Commercial presence 4) Presence of natural persons

Sector or sub-sector	Limitations on market access	Limitations on national treatment	Additional commitments
	<p><u>Professionals</u> Natural persons seeking to engage, as part of services contract granted by a juridical entity engaged in substantive business in Jordan and obtained by a juridical entity of another Member, (other than entities providing services as defined by CPC872) which has no commercial presence in Jordan in the activity at a professional level. The person must possess the necessary academic credentials and professional qualifications, which have been duly recognized, where appropriate by the professional association in Jordan. The commitment relates only to the service activity which is the subject of the contract. Work permits for all categories are granted on the basis of an economic needs test, i.e. to candidates whose qualifications are not available in Jordanians or those who are seeking work in fields in which Jordanians are in short supply. Intra-corporate transferees who are executives, managers and specialists (as defined above) are presumed to meet the economic needs test requirements.</p>		
	<p>Temporary work and residency permits are required. Such permits are issued for a maximum period of one year, but are renewable.</p>		
		<p><u>Residency requirements:</u> (4) Managing director of a branch or juridical entity must be resident in Jordan.</p>	

Sector or sub-sector	Limitations on market access	Limitations on national treatment
B. Banking and other financial services (excluding insurance)		

Sector or sub-sector	Limitations on market access	Limitations on national treatment
<p>The establishment of a commercial presence (in mode 3 only) or the conduct of new activities is restricted to Public Shareholding companies constituted in Jordan, and to branches and subsidiaries of foreign banks, unless otherwise stated in the specific sub-sector.</p> <p>Furthermore, it is noted that only Banks may undertake activities involving the acceptance of deposits and other repayable funds from the public (CPC 81115-81119 excluding CPC 81117) and extend guarantees and commitments services (CPC 81199**) and money broking (CPC 81339**). Financial service companies as seen in sub-sector entries below may provide all other financial activities. Financial service companies are licensed to undertake Investment Trusteeship, Investment Management, Financial Consultations Financial Brokerage, Depository, Management of Primary Issues.</p>		
<p>(f) Trading for own account or for account of customers, whether on an exchange, in an over-the-counter market or otherwise, the following:</p> <p>Money market instruments (cheques, bills and certificates of deposits) (CPC 81339**)</p> <p>Foreign Exchange (CPC 81333)</p> <p>Derivative products incl., but not limited to, futures and options (CPC 81339**)</p> <p>Exchange rate and interest rate instruments, including products such as swaps and forward rate agreements (CPC 81339**)</p> <p>Transferable securities (CPC 81321)</p> <p>Other negotiable instruments and financial assets, including bullion (CPC 81339**)</p>	<p>(1) None, except for derivative products, unbound.</p> <p>(2) None, except for derivative products, unbound.</p> <p>(3) Access restricted to:</p> <p>a. Banks</p> <p>b. Financial services companies constituted in Jordan, in the form of public shareholding company, limited liability company or a limited partnership in shares company.</p> <p>(4) Unbound, except as indicated in the horizontal section.</p>	<p>(1) None</p> <p>(2) None</p> <p>(3) None</p> <p>(4) Unbound, except as indicated in the horizontal section.</p>

Sector or sub-sector	Limitations on market access	Limitations on national treatment
<p>(g) Participation in issues of all kinds of securities, incl. under-writing and placement as agent (whether publicly or privately) and provision of service related to such issues.</p> <p>(i) Asset management, such as cash or portfolio management, all forms of collective investment management, custodial, depository, trust services, and pension fund management.</p>	<p>(1) Unbound.</p> <p>(2) Unbound, except for issuance and public offer of securities outside Jordan by foreign service providers abroad, and for management by service suppliers outside Jordan of assets which are not traded on Amman Financial Market or otherwise traded in Jordan.</p> <p>(3) Access restricted to:</p> <p>a. Financial services companies constituted in Jordan, in the form of public shareholding company, limited liability company or a limited partnership in shares company.</p> <p>b. Licensed banks through affiliated companies or separate accounts.</p> <p>(4) Unbound, except as indicated in the horizontal section.</p>	<p>(1) Unbound.</p> <p>(2) Unbound, except for issuance and public offer of securities outside Jordan by foreign service providers abroad, and for management by service suppliers outside Jordan of assets which are not traded on Amman Financial Market or otherwise traded in Jordan.</p> <p>(3) None</p> <p>(4) Unbound, except as indicated in the horizontal section.</p>
<p>(j) Settlement and clearing services for financial assets including securities, derivative products and other negotiable instruments.</p>	<p>(1) Unbound*</p> <p>(2) None</p> <p>(3) Access restricted to the Depository Center at the Amman Bourse for securities, and to the Central Bank of Jordan for all other financial instruments.</p> <p>(4) Unbound, except as indicated in the horizontal section.</p>	<p>(1) Unbound*</p> <p>(2) None</p> <p>(3) Access is restricted to the Depository Center at the Amman Bourse for securities, and the Central Bank of Jordan for all other financial instruments</p> <p>(4) Unbound, except as indicated in the horizontal section.</p>

* unbound due to lack of technical feasibility

Sector or sub-sector	Limitations on market access	Limitations on national treatment
(k) Advisory and other auxiliary financial services on all the activities (a - 1) , incl. credit reference and analysis, investment and portfolio research and advice, advice on acquisitions and on corporate restructuring and strategy	(1) None (2) None (3) Access restricted to: a. Financial services companies constituted in Jordan, in the form of a public shareholding company, limited liability company or a limited partnership in shares company. b. Banks (4) Unbound, except as indicated in the horizontal section.	(1) None (2) None (3) None- (4) Unbound, except as indicated in the horizontal section.
(l) Provision and transfer of financial information as related to financial data processing and related software by providers of other financial services	(1) None (2) None (3) None- (4) Unbound, except as indicated in the horizontal section.	(1) None (2) None (3) None- (4) Unbound, except as indicated in the horizontal section.

GATS NOTIFICATIONS

The Securities Commission is concerned with certain notification commitments under the GATS. Such notification shall be prepared in coordination with Ministry of Industry and Trade.

GATS art. V (7)(a)	Members to agreement referred to in paragraph 1 art. V (agreements liberalizing trade in services between or among the parties to such an agreement) shall promptly notify any such agreement and any enlargement or any significant modification of that agreement to the Council for Trade in Services.
<i>GATS, Article XXI (1)(b) Modification of Schedules</i>	A Member shall notify its intent to modify or withdraw a commitment pursuant to this Article no later than three months before the intended date of implementation of the modification or withdrawal.
<i>GATS art. Article X(2) (Emergency Safeguard Measures)</i>	To notify any intention to modify or withdraw a specific commitment after a period of one year from the date on which the commitment enters into force; provided that the Member shows cause to the Council that the modification or withdrawal cannot await the lapse of the three-year period provided for in paragraph 1 of Article XXI.

u. Ministry of Agriculture

Agricultural trade became highly distorted, especially with the use of export subsidies which would not normally have been allowed for industrial products. The Uruguay Round produced the first multilateral agreement dedicated to the sector. It was a significant first step towards order, fair competition and a less distorted sector. The objective of the **Agriculture Agreement** is to reform trade in the sector and to make policies more market-oriented. This would improve predictability and security for importing and exporting countries alike.

The new rules and commitments under the agreement apply mainly to three aspects:

- **market access** — various trade restrictions confronting imports
- **domestic support** — subsidies and other programmes, including those that raise or guarantee farmgate prices and farmers' incomes
- **export subsidies** and other methods used to make exports artificially competitive.

The agreement does allow governments to support their rural economies, but preferably through policies that cause less distortion to trade. It also allows some flexibility in the way commitments are implemented. Developing countries do not have to cut their subsidies or lower their tariffs as much as developed countries, and they are given extra time to complete their obligations. Least-developed countries don't have to do this at all. Special provisions deal with the interests of countries that rely on imports for their food supplies, and the concerns of least-developed economies.

Commitments of Ministry of Agriculture

Following to Jordan's accession to the WTO, Ministry of Agriculture has become committed to various types of commitments categorized as follows:

Firstly, Rules Commitments:

This category of commitments refers to commitments stated in the Working Party Report and must be observed by relevant state bodies before making decisions, adopting policies, or taking legal measures that affect Jordan's foreign trade regime.

A. Policies Affecting Trade in Goods

I. Quantitative import restrictions

Jordan is committed that it would not introduce, re-introduce or apply quantitative restrictions on imports, or other non-tariff measures such as licensing, quotas, bans, permits, prior

authorization requirements, licensing requirements and other restrictions having equivalent effect that cannot be justified under the provisions of the WTO Agreement. Any amendments to the import licensing regime shall be fully in accordance with all relevant provisions of the WTO, including the Agreement on Import Licensing Procedures. Any suspension of imports and exports or applying licensing requirements that could be used to suspend, ban, or otherwise restrict the quantity of trade shall be applied in conformity with the requirements of the WTO, in particular Articles XI, XII, XIII, XVIII, XIX, XX and XXI of the GATT 1994, and Agreement on Agriculture, Application of Sanitary and Phytosanitary Measures, Import Licensing Procedures, Safeguards and Technical Barriers to Trade. Thus, in applying any policy, decision or action the Ministry shall not impose any restrictions that may affect imports of goods. (Working Party Report para. 88) ⁹

In regards to Other Duties and Charges, Jordan is not permitted to apply any Other Duties and Charges in addition to those that reflect the cost of services rendered in accordance with Article VIII of the GATT 1994. Therefore, Jordan is committed to put its Regulations on Animal and Agricultural Products Fees in full conformity with Art. VIII.

Further, Jordan is committed not to list any other charges in its Goods Market Access Schedule under Article II:1(b) of the GATT 1994, binding such charges at "zero". (WP report para 59)

II. Subsidies and domestic support

Article XVI GATT and The Agreement on Subsidies and Countervailing Measures (SCM) discipline the use of subsidies.

SCM Agreement clarifies and complements Article XVI of the GATT 1994 on subsidies and Article VI on anti-dumping and countervailing duties. The Agreement provides greater transparency by defining the concept of subsidy and clarifying the rules for the imposition and collection of countervailing duties. This agreement does two things: it disciplines the use of subsidies, and it regulates the actions countries can take to counter the effects of subsidies. It says a country can use the WTO's dispute settlement procedure to seek the withdrawal of the subsidy or the removal of its adverse effects. Or the country can launch its own investigation and ultimately charge extra duty (known as "countervailing duty") on subsidized imports that are found to be hurting domestic producers. A subsidy is defined by Article 1 as a financial contribution or any form of income or price support by a government or any other public body and which confers a benefit.

⁹ Report of the Working Party on the Accession of Jordan (WT/ACC/JOR/33)

To determine whether a benefit exists, one generally compares the situation concerned with prevailing market conditions.

Further, the Agriculture Agreement prohibits export subsidies on agricultural products unless the subsidies are specified in a member's lists of commitments. Where they are listed, the agreement requires WTO members to cut both the amount of money they spend on export subsidies and the quantities of exports that receive subsidies

Jordan is committed that any subsidy programmes shall be administered in conformity with the Agreement on Subsidies and Countervailing Measures. All necessary information on such programmes shall be notified to the Committee on Subsidies and Countervailing Measures in accordance with Article 25 of the Agreement (WP report para. 131). In the case of agricultural subsidies, Jordan is committed to bind agricultural export subsidies at zero (WP report para. 189).

In regards to domestic support, there are, under the Agriculture Agreement, two categories of domestic support — support with no, or minimal, distortive effect on trade on the one hand (often referred to as “Green Box” measures) and trade-distorting support on the other hand (often referred to as “Amber Box” measures). For example, government provided agricultural research or training is considered to be of the former type, while government buying-in at a guaranteed price (“market price support”) falls into the latter category. Under the Agreement on Agriculture, all domestic support in favour of agricultural producers is subject to rules. In addition, the aggregate monetary value of Amber Box measures is, with certain exceptions, subject to reduction commitments as specified in the schedule of each WTO Member providing such support. The reduction commitments are expressed in terms of a “Total Aggregate Measurement of Support” (Total AMS) which includes all product-specific support and non-product-specific support in one single figure. Members with a Total AMS have to reduce base period support by 20 per cent over 6 years (developed country Members) or 13 per cent over 10 years (developing country Members). In any year of the implementation period, the Current Total AMS value of non-exempt measures must not exceed the scheduled Total AMS limit as specified in the schedule for that year. In other words, the maximum levels of such support are bound in the WTO.

Jordan had AMS of JD 1,539,199 and Jordan is committed to reduce this by 13.3 per cent over seven years from the date of accession. (WP Report 189)

To sum up, the relevant state bodies in Jordan (the Ministry of Agriculture, the Ministry of Finance, the Central Bank, and Jordan Investment Board) must observe the following:

- Any subsidy programmes shall be administered in conformity with the Agreement on Subsidies and Countervailing Measures.
- No subsidies contingent upon export (export subsidies) for agricultural products
- Domestic support may not exceed 10% of total value of agricultural output
- The total Aggregate Measure of Support (estimated at JD 1,539,199 during period 1994-1996) must be reduced by 13.3% over a period of 7 years from the date of accession.

B. Import Regulation

Jordan is committed not to apply any anti-dumping, countervailing or safeguard measure to imports from WTO Members until it notifies and implements appropriate laws in conformity with the provisions of the WTO Agreements on the Implementation of Article VI, on Subsidies and Countervailing Measures and on Safeguards. Jordan is committed to ensure that any such legislation shall be in full conformity with the relevant WTO provisions, including Article VI and XIX of the GATT 1994 and the Agreement on the Implementation of Article VI, the Agreement on Subsidies and Countervailing Measures and the Agreement on Safeguards.

1. Agreement on Implementation of Article VI of GATT 1994 (AD Agreement) Anti-dumping

The Agreement on Implementation of Article VI of GATT 1994 (AD Agreement) clarifies Article VI of GATT 1994 on anti-dumping measures. AD Agreement aims to establish more transparency in the determination of dumping and investigations carried out by the competent national authorities.

The Agreement defines Dumping as the introduction of a product into the commerce of another country at less than its normal value, if the export price of the product exported from one country to another is less than the comparable price, in the ordinary course of trade, for the like product when destined for consumption in the exporting country.

Article 2.6 from the Agreement defines a like product as an identical product, i.e. alike in all respects to the product under consideration, or in the absence of such a product, another product which has characteristics closely resembling those of the product under consideration.

Article 1 of the AD Agreement sets out the basic principle whereby an anti-dumping measure may be applied only if it is determined,

after investigations initiated and conducted in accordance with the provisions of the Agreement, that the imports

- are dumped,
- are causing injury to a domestic industry, and
- there is a causal relationship between the dumped imports and the alleged injury

2. Agreement on Subsidies and Countervailing Measures (see above)
3. Safeguards: emergency protection from imports

A WTO member may restrict imports of a product temporarily (take “safeguard” actions) if its domestic industry is injured or threatened with injury caused by a surge in imports. Here, the injury has to be serious. Safeguard measures were always available under GATT (Article 19). The Agreement on Safeguards (Safeguards Agreement) clarifies and complements Article XIX of GATT 1994. The Safeguards Agreement also aims to encourage structural adjustment within industries that are suffering from the negative effects of increased imports, thus improving competition in international markets.

Guiding principles for imposing safeguards can be concluded from the agreements:

1. Safeguard measures must be temporary.
2. They may be imposed only when it has been determined that the imports cause or threaten to cause serious injury to a domestic industry that produces like or directly competitive products.
3. They must be applied on a non-selective basis (i.e. on the most-favoured-nation, or MFN, basis) and must be progressively liberalized during the period of application.
4. The Member imposing them must pay compensation to Members whose trade is affected.
5. Before imposing any safeguard measure, the competent national authorities must initiate an investigation under Article 3 of the Safeguards Agreement.
6. Following investigation, the safeguard measure should be applied only to the extent necessary to prevent or remedy serious injury and to facilitate adjustment of the domestic industry, within certain limits. If a Member applies a quantitative restriction, the measure must not reduce the quantity of imports below the level of a recent period, i.e. the average of imports in the last three representative years for which statistics are available, unless clear justification is given that a different level is necessary to prevent or remedy serious injury. Article 5 also lays down rules applicable to the allocation of quotas between supplying countries (Article 5.2(a) and (b)).
7. The period of application of the safeguard measure must not exceed 4 years. The period may be extended if the conditions of Article 7:2 are satisfied. In the case of extension, the total

period of application, including provisional measures, must not exceed eight years. Developing country Members may extend the period of application of safeguard measures for 2 years beyond the maximum period of eight years.

8. Members must notify safeguard measures and amendments thereto to the Committee on Safeguards.

In 2004, Jordan has enacted a new law that replaces Protection of National Production Law for 2002. The new law has provided rules for anti-dumping, countervailing and safeguarding measures. The Law of 2004 has adhered fully for the WTO rules where art.23 from the said law states expressly that the law shall be applied in accordance with the rules of WTO agreements for safeguarding, antidumping and countervailing. Art.26 from the same law provides that the Council of Ministers shall issue the appropriate regulations for applying safeguarding, antidumping, subsidies and countervailing rules and under paragraph D from the same article, the regulations shall provide for the required notifications under the WTO.

C. Pricing Policies

Art.III (1) GATT provides that WTO members recognize that internal taxes and other internal charges, and laws, regulations and requirements affecting the internal sale, offering for sale, purchase, transportation, distribution or use of products, and internal quantitative regulations requiring the mixture, processing or use of products in specified amounts or proportions, should not be applied to imported or domestic products so as to afford protection to domestic production. Paragraph 9 from the same article provides that that internal maximum price control measures can have effects prejudicial to the interests of WTO members supplying imported products. Accordingly, WTO members applying such measures shall take account of the interests of exporting members with a view to avoiding to the fullest practicable extent such prejudicial effects.

Jordan is committed to apply the price and profitability controls in a WTO-consistent fashion, and would take account of the interests of exporting WTO Members as provided for in Article III:9 of the GATT 1994. Also, Jordan is committed to publish any list of goods and services subject to State price controls in the Official Journal, including any changes regarding existing price controls. (WP Report Para. 32)

D. Trading Rights,

Jordan is committed to make its laws, regulations and requirements relating to the right to import and export and all fees, charges or taxes levied on such rights in full conformity with its WTO obligations, including:

- GATT VIII:1(a) : that all fees and charges of whatever character (other than import and export duties and other than taxes within the purview of Article III) imposed by members or in connection with importation or exportation shall be limited in amount to the approximate cost of services rendered and shall not represent an indirect protection to domestic products or a taxation of imports or exports for fiscal purposes.
- GATT XI:1 : that no prohibitions or restrictions other than duties, taxes or other charges shall be instituted or maintained by any member on the importation of any product of the territory of any other member or on the exportation or sale for export of any product destined for the territory of any other member.
- Art. III:2 and 4 of the GATT: (National Treatment) The products of the territory of any member imported into the territory of any other member shall not be subject, directly or indirectly, to internal taxes or other internal charges of any kind in excess of those applied, directly or indirectly, to like domestic products.

Further, the products of the territory of any member imported into the territory of any other member shall be accorded treatment no less favourable than that accorded to like products of national origin in respect of all laws, regulations and requirements affecting their internal sale, offering for sale, purchase, transportation, distribution or use.

E. Technical barriers, Sanitary and phytosanitary measures

Under the WTO there is an Agreement on the Application of Sanitary and Phytosanitary Measures sets out the basic rules for food safety and animal and plant health standards. It allows countries to set their own standards. But it also says regulations must be based on science. They should be applied only to the extent necessary to protect human, animal or plant life or health. And they should not arbitrarily or unjustifiably discriminate between countries where identical or similar conditions prevail. The agreement still allows countries to use different standards and different methods of inspecting products

The Agreement on Sanitary and Phytosanitary Measures (SPS) builds on previous GATT rules to restrict the use of unjustified sanitary and phytosanitary measures for the purpose of trade protection. The basic aim of the SPS Agreement is to maintain the sovereign right of any government to provide the level of health protection it deems appropriate, but to ensure that these sovereign rights are not misused for protectionist purposes and do not result in unnecessary barriers to international trade

Jordan is committed to apply its sanitary and phytosanitary standards system in conformity with WTO provisions under the Agreement on the Application of Sanitary and Phytosanitary Measures. Jordan

further is committed not to apply stricter rules than those laid out by international organizations such as OIE will be applied. (WP Report Paragraph 151)

Further, there is an Agreement on Technical Barriers to Trade (TBT) which tries to ensure that regulations, standards, testing and certification procedures do not create unnecessary obstacles. The agreement sets out a code of good practice for the preparation, adoption and application of standards by central government bodies. The agreement says that the procedures used to decide whether a product conforms with national standards have to be fair and equitable. It discourages any methods that would give domestically produced goods an unfair advantage.

Jordan is committed to comply with all obligations under the WTO Agreement on Technical Barriers to Trade (WP Report Paragraph 140). Jordan is committed to review its remaining 1,110 mandatory standards and to replace them with voluntary standards or with technical regulations, consistent with Article 2 of the TBT Agreement on Preparation, Adoption and Application of Technical Regulations by Central Government Bodies. (WP report, para.137)

F. Making and Enforcing Policies

Jordan is committed that if Jordanian laws or other acts should be found to contradict international treaties or agreements, the provisions of the international treaty or agreement, such as the WTO, would apply. (WP report para. 43)

The provisions of the WTO Agreement, including Jordan's Protocol of Accession, shall be applied uniformly throughout Jordan's customs territory and other territories under its control, including in regions engaging in border trade or frontier traffic, special economic zones, and other areas where special regimes for tariffs, taxes and regulations are established. In situation where WTO provisions were not being applied or were applied in a non-uniform manner, central authorities would act to enforce WTO provisions without requiring affected parties to petition through the courts. (WP report para. 43)

Secondly, Legal Commitments

This category refers to laws, regulations, instructions, and decision that must be in effect, modified or cancelled in order to conform to the WTO requirements.

1. Jordan is committed to eliminate restrictions for sheep import;
2. To cancel the Agriculture Marketing Organization (AMO);
3. Jordan has committed to cancel AMO since it may violate the WTO rules on state trading enterprises (art. XVII GATT) and rules on governmental assistance to economic development (art. XVIII GATT).

Indeed, in 2002 Jordan has issued a law that cancels the Agriculture Marketing Organization Law. The 2002 Law has replaced AMO by Ministry of Agriculture to carry out the activities of AMO.

Thirdly, Notification Commitments

This category refers to notifications that the Ministry is concerned with under the WTO. The Ministry has to prepare a draft of notification in coordination with Ministry of Industry and Trade which is the focal point in submitting notifications to the WTO

Notification Requirement	Type of Measure
Agreement on Subsidies and Countervailing Measures, Article 28.1	Subsidy programmes which are inconsistent with the provisions of the ASCM
Agreement on Subsidies and Countervailing Measures, Article 29.3	Subsidy programmes falling within the scope of ASCM Article 3
Agreement on Subsidies and Countervailing Measures, Article 25.1 annual; GATT 1994, Article XVI:1/ annual	Any subsidy as defined in ASCM Article 1:1 which is specific within the meaning of ASCM Article 2 as well as any other subsidy which causes increased exports or decreased imports within the meaning of GATT 1994, Article XVI:1
Agreement on Trade-Related Investment Measures, Article 5.1	Trade-related investment measures (TRIMs) introduced 180 days or more before the date of entry into force of the WTO Agreement which are inconsistent with the provisions of Article III or Article XI of GATT 1994 and not justified under exceptions to GATT 1994.
GATS, Article IV.2	References of contact point
TRIPS Agreement, Article 14.6 [Article 17 of the "Rome Convention"]	Protection of producers of phonograms solely on the basis of the criterion of fixation
TRIPS Agreement, Article 63.2	Laws / regulations made effective by the notifying Member (pertaining to the availability, scope, acquisition, enforcement and prevention of the abuse of intellectual property rights)
TRIPS Agreement, Article 69	Specification of contact points
Agreement on Subsidies and Countervailing Measures, Article 32.6	Laws/regulations and changes thereto, including changes in the administration of such laws (concerning the languages of notification for Article 32.6, see document G/SCM/N/1)
Agreement on Implementation of Article VI of the GATT 1994, Article 16.5	Investigations: authorities competent to initiate and conduct investigations referred to in AIA VI Article 16.5, and domestic procedures governing the initiation and conduct of such investigations
Agreement on Implementation of Article VI of the GATT 1994, Article 18.5	Laws/regulations and changes thereto, including changes in the administration of such laws (concerning the languages of notification under Article 18.5, see document G/ADP/N/1)

Notification Requirement	Type of Measure
Agreement on Subsidies and Countervailing Measures, Article 25.12	Authorities competent to initiate and conduct countervailing duty investigations referred to in ASCM Article 11 and domestic procedures governing the initiation and conduct of such investigations
Understanding on Balance-of-Payments Provisions of the GATT 1994	Balance-of-payment restrictions; consolidated notification of laws/regulations, including all changes in laws, regulations, policy statements or public notices, for examination by Members.
GATS, Article V:7	Economic integration Agreements and their enlargement or modification
GATS, Article XXVIII (k)Ⓢii):2	Treatment of permanent residents as nationals for GATS purposes
Agreement on Rules of Origin, Article 5.1	Existing non-preferential rules of origin; judicial decisions and administrative rulings of general application relating to non-preferential rules of origin
Agreement on Rules of Origin, Annex II, paragraph 4 – first time	Existing preferential rules of origin; judicial decisions and administrative rulings of general application relating to preferential rules of origin
Regional arrangements Understanding on the Interpretation of Article XXIV of the GATT 1994, paragraph 11	Customs Unions and Free Trade Areas
Regional arrangements Decisions of the CONTRACTING PARTIES (BISD 18S/37, 38 paragraph 4)	Examination every two years of reports on the preferential agreements
State trading GATT 1994, Article XVII: 4(a) and notification) paragraph 1 of the Understanding on the Interpretation of Article XVII of GATT 1994 – annual	State trading activities(new and full)
State trading GATT 1994, Article XVII:4(a) and paragraph 1 of the Understanding on the Interpretation of Article XVII of GATT 1994 – annual	State trading activities (changes)
Agreement on Import Licensing Procedures, Article 1.4 (a)	Names of publications in which rules and information relevant to the ILP Agreement are published; copies of publications
Agreement on Import Licensing Procedures, Article 7.3	Replies to questionnaire on import licensing procedures
Agreement on Import Licensing Procedures, Article 8.2(b)	Laws/regulations and administrative procedures and changes thereto
Agreement on Sanitary and Phytosanitary Measures (SPS) Art.7	Members shall notify changes in their sanitary or phytosanitary measures and shall provide information on their sanitary or phytosanitary measures in accordance with the provisions of Annex B to the Agreement.

Notification Requirement	Type of Measure
<p>AGREEMENT ON TECHNICAL BARRIERS TO TRADE Art. 2.9.2</p>	<p>notify other Members through the Secretariat of the products to be covered by the proposed technical regulation, together with a brief indication of its objective and rationale. Such notifications shall take place at an early appropriate stage, when amendments can still be introduced and comments taken into account;</p>
<p>TECHNICAL BARRIERS TO TRADE Art. 2.10</p>	<p>Subject to the provisions in the lead-in to paragraph 9, where urgent problems of safety, health, environmental protection or national security arise or threaten to arise for a Member, that Member may omit such of the steps enumerated in paragraph 9 as it finds necessary, provided that the Member, upon adoption of a technical regulation, shall notify immediately other Members through the Secretariat of the particular technical regulation and the products covered, with a brief indication of the objective and the rationale of the technical regulation, including the nature of the urgent problems</p>
<p>TECHNICAL BARRIERS TO TRADE Art.5.6.2</p>	<p>notify other Members through the Secretariat of the products to be covered by the proposed conformity assessment procedure, together with a brief indication of its objective and rationale. Such notifications shall take place at an early appropriate stage, when amendments can still be introduced and comments taken into account</p>
<p>TECHNICAL BARRIERS TO TRADE Art. 10.7</p>	<p>Whenever a Member has reached an agreement with any other country or countries on issues related to technical regulations, standards or conformity assessment procedures which may have a significant effect on trade, at least one Member party to the agreement shall notify other Members through the Secretariat of the products to be covered by the agreement</p>

v. Ministry of Education

WTO principles apply also on services. These principles appear in the new General Agreement on Trade in Services (GATS). WTO members have made individual commitments under GATS stating which of their services sectors they are willing to open to foreign competition, and how accessible those markets are

In this Manual, the term of Service Commitments refers to specific commitments in the Service Sector that must be observed by the Ministry of Education in making policy change or making a decision on a specific investment in the service sector.

Service commitments under the GATS are registered in schedules. Each Member of the WTO is required to have a schedule in which it registers its commitments to provide market access and national treatment to services and service suppliers of other Members. When making a commitment, a Member binds the level of market access and national treatment specified in the schedule and undertakes not to impose any new measures that would restrict entry into the market or discriminate in favour of services or services suppliers of national origin. A specific commitment thus has an effect similar to a tariff binding under the GATT. Commitments can only be withdrawn or modified after negotiation and agreement with other Members on a compensatory adjustment through which the modifying Member offers alternative commitments. However, new commitments and improvements to existing ones can be added at any time.

In nearly all schedules, commitments are divided into two sections: "horizontal" and "sector-specific" commitments. The horizontal section contains limitations which apply to all sectors included in the schedule. These often refer to particular modes of supply, notably commercial presence and movement of natural persons. The only purpose of having a section for horizontal commitments is to avoid repeating the same entry in relation to each sector contained in the schedule. Any evaluation of sector-specific commitments must therefore take into account the horizontal entries.

A schedule for the specific commitments related to the Ministry added below. In regards to formatting, all schedules conform to a standard formula which is intended to facilitate comparative analysis. For each sector or sub-sector inscribed, the schedule must indicate, with respect to the four modes of supply set out in Articles (I, paragraph 2 GATS) any limitations on market access or national treatment which are to be maintained.

The said four modes are (in the schedule, such modes will be referred to by their red numbers):

1. Cross border supply: the possibility for non-resident service suppliers to supply services cross-border into the Member's territory.
2. Consumption abroad: the freedom for the Member's residents to purchase services in the territory of another Member

3. Commercial presence: the opportunities for foreign service suppliers to establish, operate or expand a commercial presence in the Member's territory, such as a branch, agency, or wholly-owned subsidiary
4. Presence of natural persons: the possibilities offered for the entry and temporary stay in the Member's territory of foreign individuals in order to supply a service.

A commitment therefore consists of eight entries which indicate the presence or absence of market access and/or national treatment limitations with respect to each mode of supply. The first column in the standard format contains the sector or sub-sector which is the subject of the commitment; the second column contains limitations on market access; the third column contains limitations on national treatment. In the fourth column, if any, a Member may enter any additional commitments relating to matters which are not subject to scheduling under market access or national treatment.

Finally, Most-Favoured-Nation treatment (MFN) is a general obligation that applies to all measures affecting trade in services. MFN consists of the commitment by a Member of WTO immediately and unconditionally to accord to any other Member of the WTO all the advantages it would accord to any other country. However, particular measures inconsistent with the MFN obligation can be maintained. Such measures must have been specified in a list of MFN Exemptions submitted by the member. Jordan has submitted a list of MFN exemptions attached to the schedule of specific commitments.

Modes of supply: 1)Cross-Border supply 2)Consumption abroad 3)Commercial presence 4)
 Presence of natural persons

Sector or sub-sector	Limitations on market access	Limitations on national treatment	Additional commitments
A. HORIZONTAL COMMITMENTS			
All sectors included in this schedule			
		Regarding subsidies, modes (1), (2), (3) and (4) are Unbound.	
		(3) Foreign investments may not be less than JD 50,000. This does not apply to investments in public share-holding companies.	
		<u>Real Estate:</u> (3) All purchase of real estate by non-Jordanian firms must be related to the approved business activities and is subject to Cabinet authorization. Lease of real estate by non- Jordanian firms for more than three years is subject to Cabinet approval. All juridical entities are prohibited from engaging in real estate trading. <u>State Owned Land:</u> (3) Authorization for purchase or lease of state owned lands is restricted to Jordanian nationals.	

Modes of supply: 1)Cross-Border supply 2)Consumption abroad 3)Commercial presence 4)
 Presence of natural persons

Sector or sub-sector	Limitations on market access	Limitations on national treatment	Additional commitments
	<p>(3) All investments in public utilities are generally subject to concession. In sectors where service provision is granted by concession, commercial establishment must be in the form of Public Shareholding Companies.</p>		
	<p>(4) Unbound except for measures concerning the entry and temporary stay of a natural person who falls in one of the following categories: <u>Business visitors</u> A natural person who stays in Jordan without acquiring remuneration from within Jordan and without engaging in making direct sales to the general public or supplying services, for the purposes of participating in business meetings, business contacts including negotiations for the sale of services and/or other similar activities including those to prepare for establishing a commercial presence in Jordan. Entry and stay shall be for a period of 90 days. <u>Intra-Corporate Transferees</u> Natural persons employed by a juridical entity of another member for a period of not less than one year and who seek temporary stay in order to render services to (i) the same juridical entity which is engaged in substantive business operation in Jordan or (ii) a juridical entity constituted in Jordan and engaged in substantive business operation in Jordan which is owned by or controlled by or affiliated with the aforementioned juridical entity.</p>	<p>(4) Unbound, except for measures affecting the categories referred to under market access.</p>	

Modes of supply: 1)Cross-Border supply 2)Consumption abroad 3)Commercial presence 4)
 Presence of natural persons

Sector or sub-sector	Limitations on market access	Limitations on national treatment	Additional commitments
	<p><u>Executives</u> Natural persons who are senior employees of a juridical entity, who are responsible for the entire or a substantial part of the entity's operations in Jordan, receiving general supervision or direction principally from higher level executives, the board of directors or stock-holders of the business.</p> <p><u>Managers</u> Natural persons who direct the juridical entity, or department or sub-division of the juridical entity, supervise and control the work of supervisory, professional or managerial employees, have the authority to hire and fire or recommend hiring, firing, or other personnel actions and exercise discretionary authority over day-to-day operations at a senior level.</p> <p><u>Specialists</u> Natural persons employed by a juridical entity and possess knowledge at an advanced level of expertise and proprietary knowledge of a juridical entity product, service, research, equipment, techniques, or management.</p>		

Modes of supply: 1)Cross-Border supply 2)Consumption abroad 3)Commercial presence 4)
 Presence of natural persons

Sector or sub-sector	Limitations on market access	Limitations on national treatment	Additional commitments
	<p><u>Professionals</u> Natural persons seeking to engage, as part of services contract granted by a juridical entity engaged in substantive business in Jordan and obtained by a juridical entity of another Member, (other than entities providing services as defined by CPC872) which has no commercial presence in Jordan in the activity at a professional level. The person must possess the necessary academic credentials and professional qualifications, which have been duly recognized, where appropriate by the professional association in Jordan. The commitment relates only to the service activity which is the subject of the contract. Work permits for all categories are granted on the basis of an economic—needs test, i.e. to candidates whose qualifications are not available in Jordanians or those who are seeking work in fields in which Jordanians are in short supply. Intra-corporate transferees who are executives, managers and specialists (as defined above) are presumed to meet the economic needs test requirements.</p>		
	<p>Temporary work and residency permits are required. Such permits are issued for a maximum period of one year, but are renewable.</p>		
		<p><u>Residency requirements:</u> (4) Managing director of a branch or juridical entity must be resident in Jordan.</p>	

5. EDUCATIONAL SERVICES

Commercial presence (in mode 3) is subject to 51% foreign equity limitation. Starting no later than 1 January 2004, 100% foreign equity will be permitted.

WTO Introductory Reports

A. Primary educational services (CPC 921)	(1) Unbound. (2) None	(1) Unbound. (2) None	
B. Secondary educational services (CPC 922)	(3) None (4) Unbound, except as indicated in the horizontal section.	(3) None (4) Unbound, except as indicated in the horizontal section.	
C. Higher educational services (CPC 923)	(1) None (2) None (3) None (4) Unbound, except as indicated in the horizontal section	(1) None (2) None (3) None (4) Unbound, except as indicated in the horizontal section	
D. Adult education Services (CPC 924)	(1) None (2) None (3) None, except director of adult education center must be Jordanian national. (4) Unbound, except as indicated in the horizontal section. Director of adult education center must be a Jordanian national.	(1) None (2) None (3) None (4) Unbound, except as indicated in the horizontal section.	
E. Other education services (CPC 929), specifically cultural centers	(1) None (2) None (3) None, except director of cultural center must be a Jordanian national. (4) Unbound, except as indicated in the horizontal section. Director of cultural center must be a Jordanian national.	(1) None (2) None (3) None (4) Unbound, except as indicated in the horizontal section.	

GATS NOTIFICATIONS

The Ministry is concerned with certain notification commitments under the GATS. Such notification shall be prepared in coordination with Ministry of Industry and Trade.

GATS art. V (7)(a)	Members to agreement referred to in paragraph 1 art. V (agreements liberalizing trade in services between or among the parties to such an agreement) shall promptly notify any such agreement and any enlargement or any significant modification of that agreement to the Council for Trade in Services.
<i>GATS, Article XXI (1)(b) Modification of Schedules</i>	A Member shall notify its intent to modify or withdraw a commitment pursuant to this Article no later than three months before the intended date of implementation of the modification or withdrawal.
<i>GATS art. Article X(2) (Emergency Safeguard Measures)</i>	To notify any intention to modify or withdraw a specific commitment after a period of one year from the date on which the commitment enters into force; provided that the Member shows cause to the Council that the modification or withdrawal cannot await the lapse of the three-year period provided for in paragraph 1 of Article XXI.

w. Ministry of Energy and Mineral resources

Commitments imposed upon Ministry of Energy and Mineral Resources following to Jordan's accession to WTO are categorized as the following:

Firstly, Rules Commitments

This category of commitments refers to commitments stated in the Working Party Report and must be observed by relevant state bodies before making decisions, adopting policies, or taking legal measures that affect Jordan's foreign trade regime.

Quantitative import restrictions

Jordan is committed that it would not introduce, re-introduce or apply quantitative restrictions on imports, or other non-tariff measures such as licensing, quotas, bans, permits, prior authorization requirements, licensing requirements and other restrictions having equivalent effect that cannot be justified under the provisions of the WTO Agreement. Any amendments to the import licensing regime shall be fully in accordance with all relevant provisions of the WTO, including the Agreement on Import Licensing Procedures. Any suspension of imports and exports or applying licensing requirements that could be used to suspend, ban, or otherwise restrict the quantity of trade shall be applied in conformity with the requirements of the WTO, in particular Articles XI, XII, XIII, XVIII, XIX, XX and XXI of the GATT 1994, and Agreement on Agriculture, Application of Sanitary and Phytosanitary Measures, Import Licensing Procedures, Safeguards and Technical Barriers to Trade. Thus, in applying any policy, decision or action the Ministry shall not impose restrictions effect imports of goods. (Working Party Report para. 88)¹⁰

Further, in regards to Other Duties and Charges, Jordan is committed not to apply any Other Duties and Charges in addition to those that reflect the cost of services rendered in accordance with Article VIII of the GATT 1994. Further, Jordan is committed not to list any other charges in its Goods Market Access Schedule under Article II:1(b) of the GATT 1994, binding such charges at "zero". (WP report para 59)

Making and Enforcing Policies

Jordan is committed that if Jordanian laws or other acts should be found to contradict international treaties or agreements, the provisions of the international treaty or agreement, such as the WTO, would apply. (WP report para. 43)

¹⁰ Report of the Working Party on the Accession of Jordan (WT/ACC/JOR/33)

The provisions of the WTO Agreement, including Jordan's Protocol of Accession, shall be applied uniformly throughout Jordan's customs territory and other territories under its control, including in regions engaging in border trade or frontier traffic, special economic zones, and other areas where special regimes for tariffs, taxes and regulations are established. In situation where WTO provisions were not being applied or were applied in a non-uniform manner, central authorities would act to enforce WTO provisions without requiring affected parties to petition through the courts. (WP report para. 43)

Pricing Policies

Art.III (1) GATT provides that WTO members recognize that internal taxes and other internal charges, and laws, regulations and requirements affecting the internal sale, offering for sale, purchase, transportation, distribution or use of products, and internal quantitative regulations requiring the mixture, processing or use of products in specified amounts or proportions, should not be applied to imported or domestic products so as to afford protection to domestic production. Paragraph 9 from the same article provides that that internal maximum price control measures can have effects prejudicial to the interests of WTO members supplying imported products. Accordingly, WTO members applying such measures shall take account of the interests of exporting members with a view to avoiding to the fullest practicable extent such prejudicial effects.

Jordan is committed to apply the price and profitability controls in a WTO-consistent fashion, and would take account of the interests of exporting WTO Members as provided for in Article III:9 of the GATT 1994. Also, Jordan is committed to publish any list of goods and services subject to State price controls in the Official Journal, including any changes regarding existing price controls. (WP Report Para. 32)

Trading Rights,

Jordan is committed to make its laws, regulations and requirements relating to the right to import and export and all fees, charges or taxes levied on such rights in full conformity with its WTO obligations, including:

GATT VIII:1(a) : that all fees and charges of whatever character (other than import and export duties and other than taxes within the purview of Article III) imposed by members on or in connection with importation or exportation shall be limited in amount to the approximate cost of services rendered and shall not represent an indirect protection to domestic products or a taxation of imports or exports for fiscal purposes.

GATT XI:1 : that no prohibitions or restrictions other than duties, taxes or other charges shall be instituted or maintained by any member on the importation of any product of the territory of

any other member or on the exportation or sale for export of any product destined for the territory of any other member.

Art. III:2 and 4 of the GATT: (National Treatment) The products of the territory of any member imported into the territory of any other member shall not be subject, directly or indirectly, to internal taxes or other internal charges of any kind in excess of those applied, directly or indirectly, to like domestic products.

Further, the products of the territory of any member imported into the territory of any other member shall be accorded treatment no less favourable than that accorded to like products of national origin in respect of all laws, regulations and requirements affecting their internal sale, offering for sale, purchase, transportation, distribution or use.

Technical barriers, Sanitary and phytosanitary measures

Under the WTO there is an Agreement on the Application of Sanitary and Phytosanitary Measures sets out the basic rules for food safety and animal and plant health standards. It allows countries to set their own standards. But it also says regulations must be based on science. They should be applied only to the extent necessary to protect human, animal or plant life or health. And they should not arbitrarily or unjustifiably discriminate between countries where identical or similar conditions prevail. The agreement still allows countries to use different standards and different methods of inspecting products

The Agreement on Sanitary and Phytosanitary Measures (SPS) builds on previous GATT rules to restrict the use of unjustified sanitary and phytosanitary measures for the purpose of trade protection. The basic aim of the SPS Agreement is to maintain the sovereign right of any government to provide the level of health protection it deems appropriate, but to ensure that these sovereign rights are not misused for protectionist purposes and do not result in unnecessary barriers to international trade

Jordan is committed to apply its sanitary and phytosanitary standards system conformity with WTO provisions under the Agreement on the Application of Sanitary and Phytosanitary Measures. Jordan further is committed not to apply stricter rules than those laid out by international organizations such as OIE will be applied. (WP Report Paragraph 151)

Further, there is an Agreement on Technical Barriers to Trade (TBT) which tries to ensure that regulations, standards, testing and certification procedures do not create unnecessary obstacles. The agreement sets out a code of good practice for the preparation, adoption and application of standards by central government bodies. The agreement says that the procedures used to decide whether a product conforms with national standards have to be fair and equitable.

It discourages any methods that would give domestically produced goods an unfair advantage.

Jordan is committed to comply with all obligations under the WTO Agreement on Technical Barriers to Trade (WP Report Paragraph 140). Jordan is committed to review its remaining 1,110 mandatory standards and to replace them with voluntary standards or with technical regulations, consistent with Article 2 of the TBT Agreement on Preparation, Adoption and Application of Technical Regulations by Central Government Bodies. (WP report, para.137)

Secondly, Notification Commitments

This category refers to notifications the Ministry is concerned with under the WTO. The Ministry has to prepare a draft of notification in coordination with Ministry of Industry and Trade which is the focal point in submitting notifications to the WTO

Notification Requirement	Type of Measure
Agreement on Import Licensing Procedures, Article 1.4 (a)	Names of publications in which rules and information relevant to the ILP Agreement are published; copies of publications
Agreement on Import Licensing Procedures, Article 7.3	Replies to questionnaire on import licensing procedures
Agreement on Sanitary and Phytosanitary Measures (SPS) Art.7	Members shall notify changes in their sanitary or phytosanitary measures and shall provide information on their sanitary or phytosanitary measures in accordance with the provisions of Annex B to the Agreement.
AGREEMENT ON TECHNICAL BARRIERS TO TRADE Art. 2.9.2	notify other Members through the Secretariat of the products to be covered by the proposed technical regulation, together with a brief indication of its objective and rationale. Such notifications shall take place at an early appropriate stage, when amendments can still be introduced and comments taken into account;
TECHNICAL BARRIERS TO TRADE Art. 2.10	Subject to the provisions in the lead-in to paragraph 9, where urgent problems of safety, health, environmental protection or national security arise or threaten to arise for a Member, that Member may omit such of the steps enumerated in paragraph 9 as it finds necessary, provided that the Member, upon adoption of a technical regulation, shall notify immediately other Members through the Secretariat of the particular technical regulation and the products covered, with a brief indication of the objective and the rationale of the technical regulation, including the nature of the urgent problems

Notification Requirement	Type of Measure
TECHNICAL BARRIERS TO TRADE Art.5.6.2	notify other Members through the Secretariat of the products to be covered by the proposed conformity assessment procedure, together with a brief indication of its objective and rationale. Such notifications shall take place at an early appropriate stage, when amendments can still be introduced and comments taken into account
TECHNICAL BARRIERS TO TRADE Art. 10.7	Whenever a Member has reached an agreement with any other country or countries on issues related to technical regulations, standards or conformity assessment procedures which may have a significant effect on trade, at least one Member party to the agreement shall notify other Members through the Secretariat of the products to be covered by the agreement

x. Ministry of Labour of Jordan

WTO principles of freer and fairer trade apply also on services. These principles appear in the new General Agreement on Trade in Services (GATS). WTO members have made individual commitments under GATS stating which of their services sectors they are willing to open to foreign competition, and how accessible those markets are.

Service commitments under the GATS are registered in schedules. Each Member of the WTO is required to have a schedule in which it registers its commitments to provide market access and national treatment to services and service suppliers of other Members. When making a commitment, a Member binds the level of market access and national treatment specified in the schedule and undertakes not to impose any new measures that would restrict entry into the market or discriminate in favour of services or services suppliers of national origin.

In nearly all schedules, commitments are divided into two sections: "horizontal" and "sector-specific" commitments. The horizontal section contains limitations which apply to all sectors included in the schedule. These often refer to particular modes of supply, notably commercial presence and movement of natural persons. The only purpose of having a section for horizontal commitments is to avoid repeating the same entry in relation to each sector contained in the schedule. Any evaluation of sector-specific commitments must therefore take into account the horizontal entries. Ministry of Labour of Jordan is mainly concerned with Horizontal service commitments. A schedule for the Horizontal commitments related to the Ministry is added below.

In regards to formatting, all schedules conform to a standard formula which is intended to facilitate comparative analysis. For each sector or sub-sector

inscribed, the schedule must indicate, with respect to the four modes of supply set out in Articles (I, paragraph 2 GATS) any limitations on market access or national treatment which are to be maintained.

The said four modes are (in the schedule, such modes will be referred to by their red numbers):

Cross border supply: the possibility for non-resident service suppliers to supply services cross-border into the Member's territory.

Consumption abroad: the freedom for the Member's residents to purchase services in the territory of another Member

Commercial presence: the opportunities for foreign service suppliers to establish, operate or expand a commercial presence in the Member's territory, such as a branch, agency, or wholly-owned subsidiary

Presence of natural persons: the possibilities offered for the entry and temporary stay in the Member's territory of foreign individuals in order to supply a service.

A commitment therefore consists of eight entries which indicate the presence or absence of market access and/or national treatment limitations with respect to each mode of supply. The first column in the standard format contains the sector or sub-sector which is the subject of the commitment; the second column contains limitations on market access; the third column contains limitations on national treatment. In the fourth column, if any, a Member may enter any additional commitments relating to matters which are not subject to scheduling under market access or national treatment including those regarding qualifications, standards or licensing matters.

Finally, Most-Favoured-Nation treatment (MFN) is a general obligation that applies to all measures affecting trade in services. MFN consists of the commitment by a Member of WTO immediately and unconditionally to accord to any other Member of the WTO all the advantages it would accord to any other country. However, particular measures inconsistent with the MFN obligation can be maintained. Such measures must have been specified in a list of MFN Exemptions submitted by the member. Jordan has submitted a list of MFN exemptions attached to the schedule of specific commitments.

Modes of supply: 1)Cross-Border supply 2)Consumption abroad 3)Commercial presence 4) Presence of natural persons

Sector or sub-sector	Limitations on market access	Limitations on national treatment	Additional commitments
A. HORIZONTAL COMMITMENTS			
All sectors included in this schedule			
		Regarding subsidies, modes (1), (2), (3) and (4) are Unbound.	
		(3) Foreign investments may not be less than JD 50,000. This does not apply to investments in public shareholding companies.	

Modes of supply: 1)Cross-Border supply 2)Consumption abroad 3)Commercial presence 4) Presence of natural persons

Sector or sub-sector	Limitations on market access	Limitations on national treatment	Additional commitments
		<p><u>Real Estate:</u> (3) All purchase of real estate by non-Jordanian firms must be related to the approved business activities and is subject to Cabinet authorization. Lease of real estate by non-Jordanian firms for more than three years is subject to Cabinet approval. All juridical entities are prohibited from engaging in real estate trading. <u>State Owned Land:</u> (3) Authorization for purchase or lease of state owned lands is restricted to Jordanian nationals.</p>	
	<p>(3) All investments in public utilities are generally subject to concession. In sectors where service provision is granted by concession, commercial establishment must be in the form of Public Shareholding Companies.</p>		
	<p>(4) Unbound except for measures concerning the entry and temporary stay of a natural person who falls in one of the following categories: <u>Business visitors</u> A natural person who stays in Jordan without acquiring remuneration from within Jordan and without engaging in making direct sales to the general public or supplying services, for the purposes of participating in business meetings, business contacts including negotiations for the sale of services and/or other similar activities including those to prepare for establishing a commercial presence in Jordan. Entry and stay shall be for a period of 90 days.</p>	<p>(4) Unbound, except for measures affecting the categories referred to under market access.</p>	

WTO Introductory Reports

Modes of supply: 1)Cross-Border supply 2)Consumption abroad 3)Commercial presence 4)
 Presence of natural persons

Sector or sub-sector	Limitations on market access	Limitations on national treatment	Additional commitments
	<p><u>Intra-Corporate Transferees</u> Natural persons employed by a juridical entity of another member for a period of not less than one year and who seek temporary stay in order to render services to (i) the same juridical entity which is engaged in substantive business operation in Jordan or (ii) a juridical entity constituted in Jordan and engaged in substantive business operation in Jordan which is owned by or controlled by or affiliated with the aforementioned juridical entity.</p>		
	<p><u>Executives</u> Natural persons who are senior employees of a juridical entity, who are responsible for the entire or a substantial part of the entity's operations in Jordan, receiving general supervision or direction principally from higher level executives, the board of directors or stockholders of the business.</p> <p><u>Managers</u> Natural persons who direct the juridical entity, or department or sub-division of the juridical entity, supervise and control the work of supervisory, professional or managerial employees, have the authority to hire and fire or recommend hiring, firing, or other personnel actions and exercise discretionary authority over day-to-day operations at a senior level.</p>		

Modes of supply: 1)Cross-Border supply 2)Consumption abroad 3)Commercial presence 4)
 Presence of natural persons

Sector or sub-sector	Limitations on market access	Limitations on national treatment	Additional commitments
	<p><u>Specialists</u> Natural persons employed by a juridical entity and possess knowledge at an advanced level of expertise and proprietary knowledge of a juridical entity product, service, research, equipment, techniques, or management.</p>		
	<p><u>Professionals</u> Natural persons seeking to engage, as part of services contract granted by a juridical entity engaged in substantive business in Jordan and obtained by a juridical entity of another Member, (other than entities providing services as defined by CPC872) which has no commercial presence in Jordan in the activity at a professional level. The person must possess the necessary academic credentials and professional qualifications, which have been duly recognized, where appropriate by the professional association in Jordan. The commitment relates only to the service activity which is the subject of the contract. Work permits for all categories are granted on the basis of an economic—needs test, i.e. to candidates whose qualifications are not available in Jordanians or those who are seeking work in fields in which Jordanians are in short supply. Intra-corporate transferees who are executives, managers and specialists (as defined above) are presumed to meet the economic needs test requirements.</p>		

Modes of supply: 1)Cross-Border supply 2)Consumption abroad 3)Commercial presence 4) Presence of natural persons

Sector or sub-sector	Limitations on market access	Limitations on national treatment	Additional commitments
	Temporary work and residency permits are required. Such permits are issued for a maximum period of one year, but are renewable.		
		<u>Residency requirements:</u> (4) Managing director of a branch or juridical entity must be resident in Jordan.	

Sector or sub-sector	Limitations on market access	Limitations on national treatment
	(4) Unbound except for measures concerning the entry and temporary stay of a natural person who falls in one of the following categories:	(4) Unbound, except for measures affecting the categories referred to under market access.
	<u>Business visitors</u> A natural person who stays in Jordan without acquiring remuneration from within Jordan and without engaging in making direct sales to the general public or supplying services, for the purposes of participating in business meetings, business contacts including negotiations for the sale of services and/or other similar activities including those to prepare for establishing a commercial presence in Jordan. Entry and stay shall be for a period of 90 days.	
	<u>Intra-Corporate Transferees</u> Natural persons employed by a juridical entity of another member for a period of not less than one year and who seek temporary stay in order to render services to (i) the same juridical entity which is engaged in substantive business operation in Jordan or (ii) a juridical entity constituted in Jordan and engaged in substantive business operation in Jordan which is owned by or controlled by or affiliated with the aforementioned juridical entity.	

Sector or sub-sector	Limitations on market access	Limitations on national treatment
	<p><u>Executives</u> Natural persons who are senior employees of a juridical entity, who are responsible for the entire or a substantial part of the entity's operations in Jordan, receiving general supervision or direction principally from higher level executives, the board of directors or stock-holders of the business.</p>	
	<p><u>Managers</u> Natural persons who direct the juridical entity, or department or sub-division of the juridical entity, supervise and control the work of supervisory, professional or managerial employees, have the authority to hire and fire or recommend hiring, firing, or other personnel actions and exercise discretionary authority over day-to-day operations at a senior level.</p>	
	<p><u>Specialists</u> Natural persons employed by a juridical entity and possess knowledge at an advanced level of expertise and proprietary knowledge of a juridical entity product, service, research, equipment, techniques, or management.</p>	
	<p><u>Professionals</u> Natural persons seeking to engage, as part of services contract granted by a juridical entity engaged in substantive business in Jordan and obtained by a juridical entity of another Member, which has no commercial presence in Jordan in the activity at a professional level. The person must possess the necessary academic credentials and professional qualifications, which have been duly recognized, where appropriate by the professional association in Jordan. The commitment relates only to the service activity which is the subject of the contract.</p>	

Sector or sub-sector	Limitations on market access	Limitations on national treatment
	Work permits for all categories are granted on the basis of an economic needs test, i.e. to candidates whose qualifications are not available in Jordanians or those who are seeking work in fields in which Jordanians are in short supply.	
	Intra-corporate transferees who are executives, managers and specialists (as defined above) are presumed to meet the economic needs test requirements.	
	Temporary work and residency-permits are required. Such permits are issued for a maximum period of one year, but are renewable.	
		<u>Residency requirements:</u> (4) Managing director of a branch or juridical entity must be resident in Jordan.

GATS NOTIFICATIONS

Ministry of Labor is concerned with certain notification commitments under the GATS. Such notification shall be prepared in coordination with Ministry of Industry and Trade.

GATS art. V (7)(a)	Members to agreement referred to in paragraph 1 art. V (agreements liberalizing trade in services between or among the parties to such an agreement) shall promptly notify any such agreement and any enlargement or any significant modification of that agreement to the Council for Trade in Services.
<i>GATS, Article XXI (1)(b) Modification of Schedules</i>	A Member shall notify its intent to modify or withdraw a commitment pursuant to this Article no later than three months before the intended date of implementation of the modification or withdrawal.
<i>GATS art. Article X(2) (Emergency Safeguard Measures)</i>	To notify any intention to modify or withdraw a specific commitment after a period of one year from the date on which the commitment enters into force; provided that the Member shows cause to the Council that the modification or withdrawal cannot await the lapse of the three-year period provided for in paragraph 1 of Article XXI.

y. Ministry of Information and Communications Technology

Commitments imposed upon Ministry of Post and Telecommunication following to Jordan's accession to the WTO are categorized as the following:

Firstly, Rules Commitments

This category of commitments refers to commitments stated in the Working Party Report and must be observed by relevant state bodies before making decisions, adopting policies, or taking legal measures that affect Jordan's foreign trade regime.

1. Quantitative import restrictions

Jordan is committed that it would not introduce, re-introduce or apply quantitative restrictions on imports, or other non-tariff measures such as licensing, quotas, bans, permits, prior authorization requirements, licensing requirements and other restrictions having equivalent effect that cannot be justified under the provisions of the WTO Agreement. Any amendments to the import licensing regime shall be fully in accordance with all relevant provisions of the WTO, including the Agreement on Import Licensing Procedures. Any suspension of imports and exports or applying licensing requirements that could be used to suspend, ban, or otherwise restrict the quantity of trade shall be applied in conformity with the requirements of the WTO, in particular Articles XI, XII, XIII, XVIII, XIX, XX and XXI of the GATT 1994, and Agreement on Agriculture, Application of Sanitary and Phytosanitary Measures, Import Licensing Procedures, Safeguards and Technical Barriers to Trade. Thus, in applying any policy, decision or action the Ministry shall not impose any restrictions that may effect imports of goods. (Working Party Report para. 88)¹¹

In regards to Other Duties and Charges, Jordan is not permitted to apply any Other Duties and Charges in addition to those that reflect the cost of services rendered in accordance with Article VIII of the GATT 1994. Further, Jordan is committed not to list any other charges in its Goods Market Access Schedule under Article II:1(b) of the GATT 1994, binding such charges at "zero". (WP report para 59)

2. Making and Enforcing Policies

Jordan is committed that if Jordanian laws or other acts should be found to contradict international treaties or agreements, the provisions of the international treaty or agreement, such as the WTO, would apply. (WP report para. 43)

¹¹ Report of the Working Party on the Accession of Jordan (WT/ACC/JOR/33)

The provisions of the WTO Agreement, including Jordan's Protocol of Accession, shall be applied uniformly throughout Jordan's customs territory and other territories under its control, including in regions engaging in border trade or frontier traffic, special economic zones, and other areas where special regimes for tariffs, taxes and regulations are established. In situation where WTO provisions were not being applied or were applied in a non-uniform manner, central authorities would act to enforce WTO provisions without requiring affected parties to petition through the courts. (WP report para. 43)

3. Pricing Policies

Art.III (1) GATT provides that WTO members recognize that internal taxes and other internal charges, and laws, regulations and requirements affecting the internal sale, offering for sale, purchase, transportation, distribution or use of products, and internal quantitative regulations requiring the mixture, processing or use of products in specified amounts or proportions, should not be applied to imported or domestic products so as to afford protection to domestic production. Paragraph 9 from the same article provides that that internal maximum price control measures can have effects prejudicial to the interests of WTO members supplying imported products. Accordingly, WTO members applying such measures shall take account of the interests of exporting members with a view to avoiding to the fullest practicable extent such prejudicial effects.

Jordan is committed to apply the price and profitability controls in a WTO-consistent fashion, and would take account of the interests of exporting WTO Members as provided for in Article III:9 of the GATT 1994. Also, Jordan is committed to publish any list of goods and services subject to State price controls in the Official Journal, including any changes regarding existing price controls. (WP Report Para. 32)

4. Trading Rights,

Jordan is committed to make its laws, regulations and requirements relating to the right to import and export and all fees, charges or taxes levied on such rights in full conformity with its WTO obligations, including:

- GATT VIII:1(a) : that all fees and charges of whatever character (other than import and export duties and other than taxes within the purview of Article III) imposed by members on or in connection with importation or exportation shall be limited in amount to the approximate cost of services rendered and shall not represent an indirect protection to domestic products or a taxation of imports or exports for fiscal purposes.
- GATT XI:1 : that no prohibitions or restrictions other than duties, taxes or other charges shall be instituted or maintained by any member on the importation of any product of the territory of any

other member or on the exportation or sale for export of any product destined for the territory of any other member.

- Art. III:2 and 4 of the GATT: (National Treatment) The products of the territory of any member imported into the territory of any other member shall not be subject, directly or indirectly, to internal taxes or other internal charges of any kind in excess of those applied, directly or indirectly, to like domestic products.

Further, the products of the territory of any member imported into the territory of any other member shall be accorded treatment no less favourable than that accorded to like products of national origin in respect of all laws, regulations and requirements affecting their internal sale, offering for sale, purchase, transportation, distribution or use.

Secondly, Notification Commitments

This category refers to notifications that the Ministry is concerned with under the WTO. The Ministry has to prepare a draft of notification in coordination with Ministry of Industry and Trade which is the focal point in submitting notifications to the WTO.

Notification Requirement	Type of Measure
Agreement on Import Licensing Procedures, Article 1.4 (a)	Names of publications in which rules and information relevant to the ILP Agreement are published; copies of publications
Agreement on Import Licensing Procedures, Article 7.3	Replies to questionnaire on import licensing procedures
GATS art. III (3)	Each Member shall promptly and at least annually inform the Council for Trade in Services of the introduction of any new, or any changes to existing, laws, regulations or administrative guidelines which significantly affect trade in services covered by its specific commitments under this Agreement.
GATS art. V (7)(a)	Members to agreement referred to in paragraph 1 art. V (agreements liberalizing trade in services between or among the parties to such an agreement) shall promptly notify any such agreement and any enlargement or any significant modification of that agreement to the Council for Trade in Services.
<i>GATS, Article XXI (1)(b) Modification of Schedules</i>	A Member shall notify its intent to modify or withdraw a commitment pursuant to this Article no later than three months before the intended date of implementation of the modification or withdrawal.

Notification Requirement	Type of Measure
GATS art. <i>Article X(2)</i> (<i>Emergency Safeguard Measures</i>)	To notify any intention to modify or withdraw a specific commitment after a period of one year from the date on which the commitment enters into force; provided that the Member shows cause to the Council that the modification or withdrawal cannot await the lapse of the three-year period provided for in paragraph 1 of Article XXI.

Thirdly, Services Commitments.

WTO principles of freer and fairer trade apply also on services. These principles appear in the General Agreement on Trade in Services (GATS). WTO members have made individual commitments under GATS stating which of their services sectors they are willing to open to foreign competition, and how accessible those markets are.

In this Manual, Service Commitments category refers to specific commitments in the Service Sector that must be observed by the Ministry in making policy change or making a decision on a specific investment in the service sector.

Services commitments under the GATS are registered in schedules. Each Member of the WTO is required to have a schedule in which it registers its commitments to provide market access and national treatment to services and service suppliers of other Members. When making a commitment, a Member binds the level of market access and national treatment specified in the schedule and undertakes not to impose any new measures that would restrict entry into the market or discriminate in favour of services or services suppliers of national origin. A specific commitment thus has an effect similar to a tariff binding under the GATT. Commitments can only be withdrawn or modified after negotiation and agreement with other Members on a compensatory adjustment through which the modifying Member offers alternative commitments. However, new commitments and improvements to existing ones can be added at any time.

In nearly all schedules, commitments are divided into two sections: "horizontal" and "sector-specific" commitments. The horizontal section contains limitations which apply to all sectors included in the schedule. These often refer to particular modes of supply, notably commercial presence and movement of natural persons. The only purpose of having a section for horizontal commitments is to avoid repeating the same entry in relation to each sector contained in the schedule. Any evaluation of sector-specific commitments must therefore take into account the horizontal entries.

A schedule for the specific commitments related to the Ministry is added below. In regards to formatting, all schedules conform to a standard formula which is intended to facilitate comparative analysis. For each sector or sub-sector inscribed, the schedule must indicate, with respect to the four modes of

supply set out in Articles (I, paragraph 2 GATS) any limitations on market access or national treatment which are to be maintained.

The said four modes are:

1. Cross border supply: the possibility for non-resident service suppliers to supply services cross-border into the Member's territory.
2. Consumption abroad: the freedom for the Member's residents to purchase services in the territory of another Member
3. Commercial presence: the opportunities for foreign service suppliers to establish, operate or expand a commercial presence in the Member's territory, such as a branch, agency, or wholly-owned subsidiary
4. Presence of natural persons: the possibilities offered for the entry and temporary stay in the Member's territory of foreign individuals in order to supply a service.

A commitment therefore consists of eight entries which indicate the presence or absence of market access and/or national treatment limitations with respect to each mode of supply. The first column in the standard format contains the sector or sub-sector which is the subject of the commitment; the second column contains limitations on market access; the third column contains limitations on national treatment. In the fourth column, if any, a Member may enter any additional commitments relating to matters which are not subject to scheduling under market access or national treatment including those regarding qualifications, standards or licensing matters.

Finally, Most-Favoured-Nation treatment (MFN) is a general obligation that applies to all measures affecting trade in services. MFN consists of the commitment by a Member of WTO immediately and unconditionally to accord to any other Member of the WTO all the advantages it would accord to any other country. However, particular measures inconsistent with the MFN obligation can be maintained. Such measures must have been specified in a list of MFN Exemptions submitted by the member. Jordan has submitted a list of MFN exemptions attached to the schedule of specific commitments.

Modes of supply: 1)Cross-Border supply 2)Consumption abroad 3)Commercial presence 4) Presence of natural persons

Sector or sub-sector	Limitations on market access	Limitations on national treatment	Additional commitments
A. HORIZONTAL COMMITMENTS			
All sectors included in this schedule			
		Regarding subsidies, modes (1), (2), (3) and (4) are Unbound.	
		(3) Foreign investments may not be less than JD 50,000. This does not apply to investments in public share-holding companies.	
		<u>Real Estate:</u> (3) All purchase of real estate by non-Jordanian firms must be related to the approved business activities and is subject to Cabinet authorization. Lease of real estate by non-Jordanian firms for more than three years is subject to Cabinet approval. All juridical entities are prohibited from engaging in real estate trading. <u>State Owned Land:</u> (3) Authorization for purchase or lease of state owned lands is restricted to Jordanian nationals.	
	(3) All investments in public utilities are generally subject to concession. In sectors where service provision is granted by concession, commercial establishment must be in the form of Public Shareholding Companies.		
	(4) Unbound except for measures concerning the entry and temporary stay of a natural person who falls in one of the following categories:	(4) Unbound, except for measures affecting the categories referred to under market access.	

Modes of supply: 1)Cross-Border supply 2)Consumption abroad 3)Commercial presence 4) Presence of natural persons

Sector or sub-sector	Limitations on market access	Limitations on national treatment	Additional commitments
	<p><u>Business visitors</u> A natural person who stays in Jordan without acquiring remuneration from within Jordan and without engaging in making direct sales to the general public or supplying services, for the purposes of participating in business meetings, business contacts including negotiations for the sale of services and/or other similar activities including those to prepare for establishing a commercial presence in Jordan. Entry and stay shall be for a period of 90 days.</p> <p><u>Intra-Corporate Transferees</u> Natural persons employed by a juridical entity of another member for a period of not less than one year and who seek temporary stay in order to render services to (i) the same juridical entity which is engaged in substantive business operation in Jordan or (ii) a juridical entity constituted in Jordan and engaged in substantive business operation in Jordan which is owned by or controlled by or affiliated with the aforementioned juridical entity.</p>		
	<p><u>Executives</u> Natural persons who are senior employees of a juridical entity, who are responsible for the entire or a substantial part of the entity's operations in Jordan, receiving general supervision or direction principally from higher level executives, the board of directors or stock-holders of the business.</p>		

Modes of supply: 1)Cross-Border supply 2)Consumption abroad 3)Commercial presence 4)
 Presence of natural persons

Sector or sub-sector	Limitations on market access	Limitations on national treatment	Additional commitments
	<p><u>Managers</u> Natural persons who direct the juridical entity, or department or sub-division of the juridical entity, supervise and control the work of supervisory, professional or managerial employees, have the authority to hire and fire or recommend hiring, firing, or other personnel actions and exercise discretionary authority over day-to-day operations at a senior level.</p> <p><u>Specialists</u> Natural persons employed by a juridical entity and possess knowledge at an advanced level of expertise and proprietary knowledge of a juridical entity product, service, research, equipment, techniques, or management.</p>		
	<p><u>Professionals</u> Natural persons seeking to engage, as part of services contract granted by a juridical entity engaged in substantive business in Jordan and obtained by a juridical entity of another Member, (other than entities providing services as defined by CPC872) which has no commercial presence in Jordan in the activity at a professional level. The person must possess the necessary academic credentials and professional qualifications, which have been duly recognized, where appropriate by the professional association in Jordan. The commitment relates only to the service activity which is the subject of the contract.</p>		

WTO Introductory Reports

Modes of supply: 1)Cross-Border supply 2)Consumption abroad 3)Commercial presence 4) Presence of natural persons

Sector or sub-sector	Limitations on market access	Limitations on national treatment	Additional commitments
	Work permits for all categories are granted on the basis of an economic-needs test, i.e. to candidates whose qualifications are not available in Jordanians or those who are seeking work in fields in which Jordanians are in short supply. Intra-corporate transferees who are executives, managers and specialists (as defined above) are presumed to meet the economic needs test requirements.		
	Temporary work and residency permits are required. Such permits are issued for a maximum period of one year, but are renewable.		
		<u>Residency requirements:</u> (4) Managing director of a branch or juridical entity must be resident in Jordan.	
2. COMMUNICATION SERVICES			
B. Courier services (CPC 7512)	(1) None (2) None (3) Subject to 51% foreign equity limitation. Starting no later than 1 January 2004, 100% foreign equity will be permitted. (4) Unbound, except as indicated in the horizontal section	(1) None (2) None (3) None (4) Unbound, except as indicated in the horizontal section.	
C. Telecommunication Services			
Jordan's commitments are based on the Chairman's Note dated 16 January 1997 (S/GBT/W/2/Rev.1). Jordan has removed its market access limitation on spectrum availability, in light of the Chairman's note S/GBT/W/3 dated 3 February 1997 on market access limitations on spectrum availability.			

WTO Introductory Reports

Modes of supply: 1)Cross-Border supply 2)Consumption abroad 3)Commercial presence 4)
 Presence of natural persons

Sector or sub-sector	Limitations on market access	Limitations on national treatment	Additional commitments
(a) Voice telephone services (CPC 7521) (d) Telex services (CPC 7523) (e) Telegraph services (CPC 7522) (f) Facsimile services (CPC 7521 + 7529) (g) Private leased circuit services (7522+7523)	(1) International callback is not allowed. Starting no later than 31 December 2004, none. (2) None (3) Jordan Telecommunications Company (JTC) has the exclusive right until 31 December 2004. Starting no later than 31 December 2004, none. (4) Unbound, except as indicated in the horizontal section.	(1) International callback is not allowed. Starting no later than 31 December 2004, none. (2) None (3) Unbound. Starting no later than 31 December 2004, none. (4) Unbound, except as indicated in the horizontal section.	Jordan undertakes the obligations contained in the reference paper attached hereto.
(b) Packet- switched data transmission services (CPC 7523) (c) Circuit- switched data transmission services (CPC 7523) Value added services: (h) e-mail (CPC 7523) (i) voice-mail (CPC 7523) (j) On-line information and data base-retrieval (CPC 7523). (k) Electronic Data Interchange (CPC 7523) (l) Enhanced value added facsimile services (CPC 7523) (m) Code and protocol conversion (n) On-line information and/or data processing (including transaction processing) (CPC 843) Internet (excluding voice telephone and facsimile services)	(1) None (2) None (3) Service provided only over circuits leased from JTC. Starting no later than 31December 2004, none. (4)Unbound, except as indicated in the horizontal section.	(1) None (2) None (3) None (4) Unbound, except as indicated in the horizontal section.	
(o) Other:			

WTO Introductory Reports

Modes of supply: 1)Cross-Border supply 2)Consumption abroad 3)Commercial presence 4) Presence of natural persons

Sector or sub-sector	Limitations on market access	Limitations on national treatment	Additional commitments
Mobile voice and data services	(1) None (2) None (3) Duopoly will be maintained until 31 December 2003. Commercial presence is subject to 51% foreign equity limitation. Starting no later than 31 December 2004, none. (4) Unbound, except as indicated in the horizontal section	(1) None (2) None (3) Unbound. Starting no later than 31 December 2004, none. (4) Unbound, except as indicated in the horizontal section.	
Global Mobile Personal Communication by Satellite (GMPCS)	(1) None (2) None (3) None, except through local authorized provider (gateway provider). (4) Unbound, except as indicated in the horizontal section.	(1) None (2) None (3) None (4) Unbound, except as indicated in the horizontal section.	
Paging Services (land based) (CPC 75291)	(1) None (2) None (3) The total number of service suppliers is subject to an economic needs test. Starting no later than 31 December 2004, none. (4) Unbound, except as indicated in the horizontal section.	(1) None (2) None (3) None (4) Unbound, except as indicated in the horizontal section.	
Public pay-phone services (booth services)	(1) International callback is not allowed. Starting no later than 31 December 2004, none. (2) None (3) The total number of service suppliers is subject to an economic needs test. Starting no later than 31 December 2004, none. (4) Unbound, except as indicated in the horizontal section.	(1) International callback is not allowed. Starting no later than 31 December 2004, none. (2) None (3) None (4) Unbound, except as indicated in the horizontal section.	

z. Ministry of Tourism

Commitments imposed upon Ministry of Tourism following to Jordan's accession to the WTO are categorized as the following:

Firstly, Rules Commitments

This category of commitments refers to commitments stated in the Working Party Report and must be observed by relevant state bodies before making decisions, adopting policies, or taking legal measures that affect Jordan's foreign trade regime.

1- Making and Enforcing Policies

Jordan is committed that if Jordanian laws or other acts should be found to contradict international treaties or agreements, the provisions of the international treaty or agreement, such as the WTO, would apply. (WP report para. 43) ¹²

The provisions of the WTO Agreement, including Jordan's Protocol of Accession, shall be applied uniformly throughout Jordan's customs territory and other territories under its control, including in regions engaging in border trade or frontier traffic, special economic zones, and other areas where special regimes for tariffs, taxes and regulations are established. In situation where WTO provisions were not being applied or were applied in a non-uniform manner, central authorities would act to enforce WTO provisions without requiring affected parties to petition through the courts. . (WP report para. 43)

2- Pricing Policies

Art.III (1) GATT provides that WTO members recognize that internal taxes and other internal charges, and laws, regulations and requirements affecting the internal sale, offering for sale, purchase, transportation, distribution or use of products, and internal quantitative regulations requiring the mixture, processing or use of products in specified amounts or proportions, should not be applied to imported or domestic products so as to afford protection to domestic production. Paragraph 9 from the same article provides that that internal maximum price control measures can have effects prejudicial to the interests of WTO members supplying imported products. Accordingly, WTO members applying such measures shall take account of the interests of exporting contracting parties with a view to avoiding to the fullest practicable extent such prejudicial effects.

¹² Report of the Working Party on the Accession of Jordan (WT/ACC/JOR/33)

Jordan is committed to apply the price and profitability controls in a WTO-consistent fashion, and would take account of the interests of exporting WTO Members as provided for in Article III:9 of the GATT 1994. Also, Jordan is committed to publish any list of goods and services subject to State price controls in the Official Journal, including any changes regarding existing price controls. (WP Report Para. 32)

Secondly, Services Commitments.

WTO principles of freer and fairer trade apply also on services. These principles appear in the new General Agreement on Trade in Services (GATS). WTO members have made individual commitments under GATS stating which of their services sectors they are willing to open to foreign competition, and how accessible those markets are

In this Manual, Service Commitments category refers to specific commitments in the Service Sector that must be observed by the Ministry in making policy change or making a decision on a specific investment in the service sector.

Service commitments under the GATS are registered in schedules. Each Member of the WTO is required to have a schedule in which it registers its commitments to provide market access and national treatment to services and service suppliers of other Members. When making a commitment, a Member binds the level of market access and national treatment specified in the schedule and undertakes not to impose any new measures that would restrict entry into the market or discriminate in favour of services or services suppliers of national origin. A specific commitment thus has an effect similar to a tariff binding under the GATT. Commitments can only be withdrawn or modified after negotiation and agreement with other Members on a compensatory adjustment through which the modifying Member offers alternative commitments. However, new commitments and improvements to existing ones can be added at any time.

In nearly all schedules, commitments are divided into two sections: "horizontal" and "sector-specific" commitments. The horizontal section contains limitations which apply to all sectors included in the schedule. These often refer to particular modes of supply, notably commercial presence and movement of natural persons. The only purpose of having a section for horizontal commitments is to avoid repeating the same entry in relation to each sector contained in the schedule. Any evaluation of sector-specific commitments must therefore take into account the horizontal entries.

A schedule for the specific commitments related to the Ministry is added below. In regards to formatting, all schedules conform to a standard formula which is intended to facilitate comparative analysis. For each sector or sub-sector inscribed, the schedule must indicate, with respect to the four modes of supply set out in Articles (I, paragraph 2 GATS) any limitations on market access or national treatment which are to be maintained.

The said four modes are (in the schedule, such modes will be referred to by their red numbers):

- 1- Cross border supply: the possibility for non-resident service suppliers to supply services cross-border into the Member's territory.
- 2- Consumption abroad: the freedom for the Member's residents to purchase services in the territory of another Member
- 3- Commercial presence: the opportunities for foreign service suppliers to establish, operate or expand a commercial presence in the Member's territory, such as a branch, agency, or wholly-owned subsidiary
- 4- Presence of natural persons: the possibilities offered for the entry and temporary stay in the Member's territory of foreign individuals in order to supply a service.

A commitment therefore consists of eight entries which indicate the presence or absence of market access and/or national treatment limitations with respect to each mode of supply. The first column in the standard format contains the sector or sub-sector which is the subject of the commitment; the second column contains limitations on market access; the third column contains limitations on national treatment. In the fourth column, if any, a Member may enter any additional commitments relating to matters which are not subject to scheduling under market access or national treatment.

Finally, Most-Favoured-Nation treatment (MFN) is a general obligation that applies to all measures affecting trade in services. MFN consists of the commitment by a Member of WTO immediately and unconditionally to accord to any other Member of the WTO all the advantages it would accord to any other country. However, particular measures inconsistent with the MFN obligation can be maintained. Such measures must have been specified in a list of MFN Exemptions submitted by the member. Jordan has submitted a list of MFN exemptions attached to the schedule of specific commitments.

Modes of supply: 1)Cross-Border supply 2)Consumption abroad 3)Commercial presence 4) Presence of natural persons

Sector or sub-sector	Limitations on market access	Limitations on national treatment	Additional commitments
A. HORIZONTAL COMMITMENTS			
All sectors included in this schedule			
		Regarding subsidies, modes (1), (2), (3) and (4) are Unbound.	
		(3) Foreign investments may not be less than JD 50,000. This does not apply to investments in public share-holding companies.	
		<u>Real Estate:</u> (3) All purchase of real estate by non-Jordanian firms must be related to the approved business activities and is subject to Cabinet authorization. Lease of real estate by non- Jordanian firms for more than three years is subject to Cabinet approval. All juridical entities are prohibited from engaging in real estate trading. <u>State Owned Land:</u> (3) Authorization for purchase or lease of state owned lands is restricted to Jordanian nationals.	
	(3) All investments in public utilities are generally subject to concession. In sectors where service provision is granted by concession, commercial establishment must be in the form of Public Shareholding Companies.		
	(4) Unbound except for measures concerning the entry and temporary stay of a natural person who falls in one of the following categories:	(4) Unbound, except for measures affecting the categories referred to under market access.	

Modes of supply: 1)Cross-Border supply 2)Consumption abroad 3)Commercial presence 4)
 Presence of natural persons

Sector or sub-sector	Limitations on market access	Limitations on national treatment	Additional commitments
	<p><u>Business visitors</u> A natural person who stays in Jordan without acquiring remuneration from within Jordan and without engaging in making direct sales to the general public or supplying services, for the purposes of participating in business meetings, business contacts including negotiations for the sale of services and/or other similar activities including those to prepare for establishing a commercial presence in Jordan. Entry and stay shall be for a period of 90 days.</p> <p><u>Intra-Corporate Transferees</u> Natural persons employed by a juridical entity of another member for a period of not less than one year and who seek temporary stay in order to render services to (i) the same juridical entity which is engaged in substantive business operation in Jordan or (ii) a juridical entity constituted in Jordan and engaged in substantive business operation in Jordan which is owned by or controlled by or affiliated with the aforementioned juridical entity.</p>		
	<p><u>Executives</u> Natural persons who are senior employees of a juridical entity, who are responsible for the entire or a substantial part of the entity's operations in Jordan, receiving general supervision or direction principally from higher level executives, the board of directors or stock-holders of the business.</p>		

Modes of supply: 1)Cross-Border supply 2)Consumption abroad 3)Commercial presence 4)
 Presence of natural persons

Sector or sub-sector	Limitations on market access	Limitations on national treatment	Additional commitments
	<p><u>Managers</u> Natural persons who direct the juridical entity, or department or sub-division of the juridical entity, supervise and control the work of supervisory, professional or managerial employees, have the authority to hire and fire or recommend hiring, firing, or other personnel actions and exercise discretionary authority over day-to-day operations at a senior level.</p> <p><u>Specialists</u> Natural persons employed by a juridical entity and possess knowledge at an advanced level of expertise and proprietary knowledge of a juridical entity product, service, research, equipment, techniques, or management.</p>		
	<p><u>Professionals</u> Natural persons seeking to engage, as part of services contract granted by a juridical entity engaged in substantive business in Jordan and obtained by a juridical entity of another Member, (other than entities providing services as defined by CPC872) which has no commercial presence in Jordan in the activity at a professional level. The person must possess the necessary academic credentials and professional qualifications, which have been duly recognized, where appropriate by the professional association in Jordan. The commitment relates only to the service activity which is the subject of the contract.</p>		

Modes of supply: 1)Cross-Border supply 2)Consumption abroad 3)Commercial presence 4) Presence of natural persons

Sector or sub-sector	Limitations on market access	Limitations on national treatment	Additional commitments
	Work permits for all categories are granted on the basis of an economic-needs test, i.e. to candidates whose qualifications are not available in Jordanians or those who are seeking work in fields in which Jordanians are in short supply. Intra-corporate transferees who are executives, managers and specialists (as defined above) are presumed to meet the economic needs test requirements.		
	Temporary work and residency—permits are required. Such permits are issued for a maximum period of one year, but are renewable.		
		Residency requirements: (4) Managing director of a branch or juridical entity must be resident in Jordan.	

9. TOURISM AND TRAVEL RELATED SERVICES			
A. Hotel & motel lodging services, excluding casinos (CPC 6411 & 6412)	(1) None (2) None (3) None- (4) Unbound, except as indicated in the horizontal section.	(1) None (2) None (3) None- (4) Unbound, except as indicated in the horizontal section.	
Meal serving services with full restaurant services (excluding transport facilities) (CPC 6421) Meal serving services in self-serving facilities (cafeterias) (CPC 6422) Beverage serving services for consumption on the premises, excluding casinos (CPC 643)	(1) None (2) None (3) Subject to 50% foreign equity limitation. Jordanian juridical entity is required for franchising. Foreign equity limitation does not apply to these services when operated in hotels or motels. (4) Unbound, except as indicated in the horizontal section	(1) None (2) None (3) None- (4) Unbound, except as indicated in the horizontal section.	

<p>Caterer services providing meals to outside (CPC 6423). Institutional Food Service caterers (with the exception of Airport and airline catering facilities which are confined only to the national air carriers)</p>	<p>(1) None (2) None (3) None- (4) Unbound, except as indicated in the horizontal section.</p>	<p>(1) None (2) None (3) None- (4) Unbound, except as indicated in the horizontal section.</p>	
<p>Air catering services (part of CPC 6423)</p>	<p>(1) Unbound (2) Unbound (3) Exclusivity is currently granted to the national carrier. However, once exclusivity is lifted, access will be subject to 50% limitation on foreign equity and to any other limitations on legal form provided for by the Jordanian law. Number of service providers may be restricted. (4) Unbound, except as indicated in the horizontal section.</p>	<p>(1) Unbound (2) Unbound (3) None (4) Unbound except as indicated in the horizontal section.</p>	
<p>B. Travel Agencies and tour operator services (CPC 7471)</p>	<p>(1) Foreign travel agencies must implement their tours in Jordan through a local service provider. (2) None (3) Service may be provided through Jordanian natural or juridical entities with maximum 50 % foreign equity . Service provider must be a specialized tourist firm. Director must be a Jordanian national. (4) Unbound, except as indicated in the horizontal section. Director must be a Jordanian national.</p>	<p>(1) None (2) None (3) None (4) Unbound, except as indicated in the horizontal section.</p>	

Tourist guide services (CPC 7472)	(1) None (2) None (3) None- (4) Unbound, except as indicated in the horizontal section.	(1) Unbound (2) None (3) None- (4) Unbound, except as indicated in the horizontal section.	
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GATS NOTIFICATIONS

The Ministry is concerned with certain notification commitments under the GATS. Such notification shall be prepared in coordination with Ministry of Industry and Trade.

GATS art. V (7)(a)	Members to agreement referred to in paragraph 1 art. V (agreements liberalizing trade in services between or among the parties to such an agreement) shall promptly notify any such agreement and any enlargement or any significant modification of that agreement to the Council for Trade in Services.
<i>GATS, Article XXI (1)(b) Modification of Schedules</i>	A Member shall notify its intent to modify or withdraw a commitment pursuant to this Article no later than three months before the intended date of implementation of the modification or withdrawal.
<i>GATS art. Article X(2) (Emergency Safeguard Measures)</i>	To notify any intention to modify or withdraw a specific commitment after a period of one year from the date on which the commitment enters into force; provided that the Member shows cause to the Council that the modification or withdrawal cannot await the lapse of the three-year period provided for in paragraph 1 of Article XXI.

aa. Ministry of Transport of Jordan

WTO principles of freer and fairer trade apply also on services. These principles appear in the new General Agreement on Trade in Services (GATS). WTO members have made individual commitments under GATS stating which of their services sectors they are willing to open to foreign competition, and how accessible those markets are. Following to Jordan's accession to the WTO, Ministry of Transport has become mainly concerned with services commitments.

In this Manual, Service Commitments category refers to specific commitments in the Service Sector that must be observed by the Ministry in making policy change or making a decision on a specific investment in the service sector.

Service commitments under the GATS are registered in schedules. Each Member of the WTO is required to have a schedule in which it registers its commitments to provide market access and national treatment to services and service suppliers of other Members. When making a commitment, a Member binds the level of market access and national treatment specified in the schedule and undertakes not to impose any new measures that would restrict entry into the market or discriminate in favour of services or services suppliers of national origin. A specific commitment thus has an effect similar to a tariff binding under the GATT. Commitments can only be withdrawn or modified after negotiation and agreement with other Members on a compensatory adjustment through which the modifying Member offers alternative commitments. However, new commitments and improvements to existing ones can be added at any time.

In nearly all schedules, commitments are divided into two sections: "horizontal" and "sector-specific" commitments. The horizontal section contains limitations which apply to all sectors included in the schedule. These often refer to particular modes of supply, notably commercial presence and movement of natural persons. The only purpose of having a section for horizontal commitments is to avoid repeating the same entry in relation to each sector contained in the schedule. Any evaluation of sector-specific commitments must therefore take into account the horizontal entries.

A schedule for the specific commitments related to the Ministry is added below. In regards to formatting, all schedules conform to a standard formula which is intended to facilitate comparative analysis. For each sector or sub-sector inscribed, the schedule must indicate, with respect to the four modes of supply set out in Articles (I, paragraph 2 GATS) any limitations on market access or national treatment which are to be maintained.

The said four modes are (in the schedule, such modes will be referred to by their red numbers):

1. Cross border supply: the possibility for non-resident service suppliers to supply services cross-border into the Member's territory.

2. Consumption abroad: the freedom for the Member's residents to purchase services in the territory of another Member
3. Commercial presence: the opportunities for foreign service suppliers to establish, operate or expand a commercial presence in the Member's territory, such as a branch, agency, or wholly-owned subsidiary
4. Presence of natural persons: the possibilities offered for the entry and temporary stay in the Member's territory of foreign individuals in order to supply a service.

A commitment therefore consists of eight entries which indicate the presence or absence of market access and/or national treatment limitations with respect to each mode of supply. The first column in the standard format contains the sector or sub-sector which is the subject of the commitment; the second column contains limitations on market access; the third column contains limitations on national treatment. In the fourth column, if any, a Member may enter any additional commitments relating to matters which are not subject to scheduling under market access or national treatment including those regarding qualifications, standards or licensing matters.

Finally, Most-Favoured-Nation treatment (MFN) is a general obligation that applies to all measures affecting trade in services. MFN consists of the commitment by a Member of WTO immediately and unconditionally to accord to any other Member of the WTO all the advantages it would accord to any other country. However, particular measures inconsistent with the MFN obligation can be maintained. Such measures must have been specified in a list of MFN Exemptions submitted by the member. Jordan has submitted a list of MFN exemptions attached to the schedule of specific commitments.

WTO Introductory Reports

Modes of supply: 1)Cross-Border supply 2)Consumption abroad 3)Commercial presence 4) Presence of natural persons

Sector or sub-sector	Limitations on market access	Limitations on national treatment	Additional commitments
A. HORIZONTAL COMMITMENTS			
All sectors included in this schedule			
		Regarding subsidies, modes (1), (2), (3) and (4) are Unbound.	
		(3) Foreign investments may not be less than JD 50,000. This does not apply to investments in public share-holding companies.	
		<u>Real Estate:</u> (3) All purchase of real estate by non-Jordanian firms must be related to the approved business activities and is subject to Cabinet authorization. Lease of real estate by non- Jordanian firms for more than three years is subject to Cabinet approval. All juridical entities are prohibited from engaging in real estate trading. <u>State Owned Land:</u> (3) Authorization for purchase or lease of state owned lands is restricted to Jordanian nationals.	
	(3) All investments in public utilities are generally subject to concession. In sectors where service provision is granted by concession, commercial establishment must be in the form of Public Shareholding Companies.		
	(4) Unbound except for measures concerning the entry and temporary stay of a natural person who falls in one of the following categories: <u>Business visitors</u> A natural person who stays in Jordan without acquiring remuneration from within Jordan and without engaging in making direct sales to the general public or supplying services, for the purposes of participating in business meetings, business contacts including negotiations for the sale of services and/or other similar activities including those to prepare for establishing a commercial presence in Jordan. Entry and stay shall be for a period of 90 days.	(4) Unbound, except for measures affecting the categories referred to under market access.	

WTO Introductory Reports

Modes of supply: 1)Cross-Border supply 2)Consumption abroad 3)Commercial presence 4) Presence of natural persons

Sector or sub-sector	Limitations on market access	Limitations on national treatment	Additional commitments
	<p><u>Intra-Corporate Transferees</u> Natural persons employed by a juridical entity of another member for a period of not less than one year and who seek temporary stay in order to render services to (i) the same juridical entity which is engaged in substantive business operation in Jordan or (ii) a juridical entity constituted in Jordan and engaged in substantive business operation in Jordan which is owned by or controlled by or affiliated with the aforementioned juridical entity.</p>		
	<p><u>Executives</u> Natural persons who are senior employees of a juridical entity, who are responsible for the entire or a substantial part of the entity's operations in Jordan, receiving general supervision or direction principally from higher level executives, the board of directors or stock-holders of the business.</p> <p><u>Managers</u> Natural persons who direct the juridical entity, or department or sub-division of the juridical entity, supervise and control the work of supervisory, professional or managerial employees, have the authority to hire and fire or recommend hiring, firing, or other personnel actions and exercise discretionary authority over day-to-day operations at a senior level.</p> <p><u>Specialists</u> Natural persons employed by a juridical entity and possess knowledge at an advanced level of expertise and proprietary knowledge of a juridical entity product, service, research, equipment, techniques, or management.</p>		

WTO Introductory Reports

Modes of supply: 1)Cross-Border supply 2)Consumption abroad 3)Commercial presence 4) Presence of natural persons

Sector or sub-sector	Limitations on market access	Limitations on national treatment	Additional commitments
	<p><u>Professionals</u> Natural persons seeking to engage, as part of services contract granted by a juridical entity engaged in substantive business in Jordan and obtained by a juridical entity of another Member, (other than entities providing services as defined by CPC872) which has no commercial presence in Jordan in the activity at a professional level. The person must possess the necessary academic credentials and professional qualifications, which have been duly recognized, where appropriate by the professional association in Jordan. The commitment relates only to the service activity which is the subject of the contract. Work permits for all categories are granted on the basis of an economic needs test, i.e. to candidates whose qualifications are not available in Jordanians or those who are seeking work in fields in which Jordanians are in short supply. Intra-corporate transferees who are executives, managers and specialists (as defined above) are presumed to meet the economic needs test requirements.</p>		
	<p>Temporary work and residency-permits are required. Such permits are issued for a maximum period of one year, but are renewable.</p>		
		<p><u>Residency requirements:</u> (4) Managing director of a branch or juridical entity must be resident in Jordan.</p>	

Sector or sub-sector	Limitations on market access	Limitations on national treatment
11. TRANSPORT SERVICES		
Commercial presence (in mode 3) is subject to 50 % foreign equity limitation.		
A. Maritime Transport Services: Transport services by Sea –going vessels		
(a) Passenger transportation (CPC 7211) (b) Freight transportation (CPC 7212 ¹³)	(1) (a) Liner Shipping: None, but all ships docking in Jordan must have a local Port Agent. (b) Bulk, tramp, and other international shipping, including passenger transportation: None (2) None (3) (a) Establishment of registered company for the purpose of operating a fleet under the national flag of Jordan: None (b) Other forms of commercial presence for the supply of international maritime transport services: None (4) Unbound, except as indicated in horizontal section. 1/5 of crew on Jordanian ships must be Jordanian.	(1) None (2) None (3) Service fees for pilotage, berthing and docking are 10% less for Jordanian ships. Jordanian ships are exempt from any Port dues when anchoring in Jordanian territorial waters. Jordanian ships enjoy preferential treatment in prices of bunker provided at the Aqaba Port. (4) Unbound, except as indicated in the horizontal section.
Maritime Auxiliary Services		
(c) Rental services of sea-going vessels with operator (CPC 7213)	(1) None (2) None (3) None- (4) Unbound, except as indicated in the horizontal section.	(1) None (2) None (3) None- (4) Unbound, except as indicated in the horizontal section.

¹³ Additional Commitments: The following services at the port are made available to international maritime transport suppliers on reasonable and non-discriminatory terms and conditions:

1. Pilotage (excluded)
2. Towing and tug assistance
3. Provisioning, fuelling, and watering.
4. Garbage collecting and ballast waste disposal.
5. Port Captain's services.
6. Navigation aids.
7. Shore-based operational services, essential to ship operations including communications, water and electrical supplies.
8. Emergency repair facilities.
9. Anchorage, berth and berthing services(excluded).

Please note that Pilotage and anchorage services have been excluded due to the national treatment limitation as seen from commitments under the national treatment column.

Sector or sub-sector	Limitations on market access	Limitations on national treatment
(d) Maintenance and repair of vessels (CPC 8868)	(1) None (2) None (3) Access restricted to Jordanian natural or juridical entities. (4) Unbound, except as indicated in the horizontal section.	(1) None (2) None (3) None (4) Unbound, except as indicated in the horizontal section.
Storage and warehousing services (CPC 742)	(1) Unbound* (2) None (3) None** (4) Unbound, except as indicated in the horizontal section.	(1) Unbound* (2) None (3) None** (4) Unbound, except as indicated in the horizontal section.
Shipping Agents Maritime Freight Forwarding Services (CPC 748) Maritime Freight Inspection services (CPC 749) Food Supply Catering (Provisioning)	(1) Unbound. (2) None (3) Access restricted to Jordanian natural or juridical entities. (4) Unbound except as indicated in the horizontal section.	(1) Unbound (2) None (3) None (4) Unbound, except as indicated in the horizontal section.
C. Air Transport Services (as defined in the Annex on Air Transport)		
Maintenance and repair of Aircraft (part of CPC 8868)	(1) Subject to an agreement with Royal Jordanian Airline (National Carrier). (2) None (3) Unbound (4) Unbound, except as indicated in the horizontal section.	(1) None (2) None (3) None (4) Unbound, except as indicated in the horizontal section.
Computer Reservation Systems (CRS): Sales and Marketing Maintenance and Repair	(1) None (2) None (3) None (4) Unbound, except as indicated in the horizontal section.	(1) None (2) None (3) None (4) Unbound, except as indicated in the horizontal section.
Air Auxiliary Services		

* A commitment on this mode of delivery is not feasible.

** Public utility concession or licensing procedures may apply in case of occupation of the public domain

Sector or sub-sector	Limitations on market access	Limitations on national treatment
Freight forwarding services (part of CPC 748)	(1) None (2) None (3) Access restricted to Jordanian natural or juridical entities. Director must be a Jordanian national. (4) Unbound, except as indicated in the horizontal section. Director must be a Jordanian national.	(1) None (2) None (3) None (4) Unbound, except as indicated in the horizontal section.
Packing and crating and de-packing and de-crating services (part of CPC 749)	(1) None (2) None (3) Access restricted to Jordanian natural or juridical entities. (4) Unbound except as indicated in the horizontal section.	(1) None (2) None (3) None (4) Unbound, except as indicated in the horizontal section.
Freight inspection services excluding pre-shipment inspection for customs valuation purposes on imports. (part of CPC 749)	(1) None, Jordan does not accept pre-shipment inspection for customs valuation purposes on imports. (2) None, Jordan does not accept pre-shipment inspection for customs valuation purposes on imports. (3) Access restricted to freight forwarders in the form of Jordanian natural or juridical entities. Director must be a Jordanian national. Once issuance of specialized licenses for provision of freight inspection services is regulated, access will also be granted to inspection firms in the form of Jordanian natural or juridical entities. (4) Unbound, except as indicated in the horizontal section. Director must be a Jordanian national.	(1) None (2) None (3) None (4) Unbound, except as indicated in the horizontal section.

GATS NOTIFICATIONS

The Ministry is concerned with certain notification commitments under the GATS. Such notification shall be prepared in coordination with Ministry of Industry and Trade.

GATS art. V (7)(a)	Members to agreement referred to in paragraph 1 art. V (agreements liberalizing trade in services between or among the parties to such an agreement) shall promptly notify any such agreement and any enlargement or any significant modification of
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	that agreement to the Council for Trade in Services.
<i>GATS, Article XXI (1)(b) Modification of Schedules</i>	A Member shall notify its intent to modify or withdraw a commitment pursuant to this Article no later than three months before the intended date of implementation of the modification or withdrawal.
<i>GATS art. Article X(2) (Emergency Safeguard Measures)</i>	To notify any intention to modify or withdraw a specific commitment after a period of one year from the date on which the commitment enters into force; provided that the Member shows cause to the Council that the modification or withdrawal cannot await the lapse of the three-year period provided for in paragraph 1 of Article XXI.

bb. Ministry of Water and Irrigation of Jordan

Commitments imposed upon Ministry of Water and Irrigation following to Jordan's accession to WTO are categorized as the following:

Firstly, Rules Commitments

This category of commitments refers to commitments stated in the Working Party Report and must be observed by relevant state bodies before making decisions, adopting policies, or taking legal measures that affect Jordan's foreign trade regime.

1. Quantitative import restrictions

Jordan is committed that it would not introduce, re-introduce or apply quantitative restrictions on imports, or other non-tariff measures such as licensing, quotas, bans, permits, prior authorization requirements, licensing requirements and other restrictions having equivalent effect that cannot be justified under the provisions of the WTO Agreement. Any amendments to the import licensing regime shall be fully in accordance with all relevant provisions of the WTO, including the Agreement on Import Licensing Procedures. Any suspension of imports and exports or applying licensing requirements that could be used to suspend, ban, or otherwise restrict the quantity of trade shall be applied in conformity with the requirements of the WTO, in particular Articles XI, XII, XIII, XVIII, XIX, XX and XXI of the GATT 1994, and Agreement on Agriculture, Application of Sanitary and Phytosanitary Measures, Import Licensing Procedures, Safeguards and Technical Barriers to Trade. Thus, in applying any policy, decision or action the Ministry shall not impose any restrictions that may affect imports of goods. (Working Party Report para. 88)

In regards to Other Duties and Charges, Jordan is not permitted to apply any Other Duties and Charges in addition to those that reflect the cost of services rendered in accordance with Article VIII of the GATT 1994. Further, Jordan is committed not to list any other charges in its Goods Market Access Schedule under Article II:1(b) of the GATT 1994, binding such charges at "zero". (WP report para 59)

2. Making and Enforcing Policies

Jordan is committed that if Jordanian laws or other acts should be found to contradict international treaties or agreements, the provisions of the international treaty or agreement, such as the WTO, would apply. (WP report para. 43)

The provisions of the WTO Agreement, including Jordan's Protocol of Accession, shall be applied uniformly throughout Jordan's customs territory and other territories under its control, including in regions engaging in border trade or frontier traffic, special economic zones,

and other areas where special regimes for tariffs, taxes and regulations are established. In situation where WTO provisions were not being applied or were applied in a non-uniform manner, central authorities would act to enforce WTO provisions without requiring affected parties to petition through the courts. . (WP report para. 43)

3. Pricing Policies

Art.III (1) GATT provides that WTO members recognize that internal taxes and other internal charges, and laws, regulations and requirements affecting the internal sale, offering for sale, purchase, transportation, distribution or use of products, and internal quantitative regulations requiring the mixture, processing or use of products in specified amounts or proportions, should not be applied to imported or domestic products so as to afford protection to domestic production. Paragraph 9 from the same article provides that that internal maximum price control measures can have effects prejudicial to the interests of WTO members supplying imported products. Accordingly, WTO members applying such measures shall take account of the interests of exporting members with a view to avoiding to the fullest practicable extent such prejudicial effects.

Jordan is committed to apply the price and profitability controls in a WTO-consistent fashion, and would take account of the interests of exporting WTO Members as provided for in Article III:9 of the GATT 1994. Also, Jordan is committed to publish any list of goods and services subject to State price controls in the Official Journal, including any changes regarding existing price controls. (WP Report Para. 32)

4. Trading Rights,

Jordan is committed to make its laws, regulations and requirements relating to the right to import and export and all fees, charges or taxes levied on such rights in full conformity with its WTO obligations, including:

- GATT VIII:1(a) : that all fees and charges of whatever character (other than import and export duties and other than taxes within the purview of Article III) imposed by members on or in connection with importation or exportation shall be limited in amount to the approximate cost of services rendered and shall not represent an indirect protection to domestic products or a taxation of imports or exports for fiscal purposes.
- GATT XI:1 : that no prohibitions or restrictions other than duties, taxes or other charges shall be instituted or maintained by any member on the importation of any product of the territory of any other member or on the exportation or sale for export of any product destined for the territory of any other member.
- Art. III:2 and 4 of the GATT: (National Treatment) The

products of the territory of any member imported into the territory of any other member shall not be subject, directly or indirectly, to internal taxes or other internal charges of any kind in excess of those applied, directly or indirectly, to like domestic products.

Further, the products of the territory of any member imported into the territory of any other member shall be accorded treatment no less favourable than that accorded to like products of national origin in respect of all laws, regulations and requirements affecting their internal sale, offering for sale, purchase, transportation, distribution or use.

Secondly, Notification Commitments

This category refers to notifications that the Ministry must provide to the WTO. The Ministry has to prepare a draft of notification in coordination with Ministry of Industry and Trade which is the focal point in submitting notifications to the WTO.

Notification Requirement	Type of Measure
Agreement on Import Licensing Procedures, Article 1.4 (a)	Names of publications in which rules and information relevant to the ILP Agreement are published; copies of publications
Agreement on Import Licensing Procedures, Article 7.3	Replies to questionnaire on import licensing procedures
Agreement on Import Licensing Procedures, Article 8.2(b)	Laws/regulations and administrative procedures and changes thereto

cc. Natural Resources Authority of Jordan

Commitments imposed upon the Natural Resources Authority following to Jordan's accession to WTO are categorized as the following:

Firstly, Rules Commitments

This category of commitments refers to commitments stated in the Working Party Report and must be observed by relevant state bodies before making decisions, adopting policies, or taking legal measures that affect Jordan's foreign trade regime.

1. Quantitative import restrictions

Jordan is committed that it would not introduce, re-introduce or apply quantitative restrictions on imports, or other non-tariff measures such as licensing, quotas, bans, permits, prior authorization requirements, licensing requirements and other restrictions having equivalent effect that cannot be justified under the provisions of the WTO Agreement. Any amendments to the import licensing regime shall be fully in accordance with all relevant provisions of the WTO, including the Agreement on Import Licensing Procedures. Any suspension of imports and exports or applying licensing requirements that could be used to suspend, ban, or otherwise restrict the quantity of trade shall be applied in conformity with the requirements of the WTO, in particular Articles XI, XII, XIII, XVIII, XIX, XX and XXI of the GATT 1994, and Agreement on Agriculture, Application of Sanitary and Phytosanitary Measures, Import Licensing Procedures, Safeguards and Technical Barriers to Trade. Thus, in applying any policy, decision or action the Authority shall not impose restrictions effect imports of goods. (Working Party Report para. 88) ¹⁴

Further, in regards to Other Duties and Charges, Jordan is committed not to apply any Other Duties and Charges in addition to those that reflect the cost of services rendered in accordance with Article VIII of the GATT 1994. Further, Jordan is committed not to list any other charges in its Goods Market Access Schedule under Article II:1(b) of the GATT 1994, binding such charges at "zero". (WP report para 59)

2. Making and Enforcing Policies

Jordan is committed that if Jordanian laws or other acts should be found to contradict international treaties or agreements, the provisions of the international treaty or agreement, such as the WTO, would apply. (WP report para. 43)

¹⁴ Report of the Working Party on the Accession of Jordan (WT/ACC/JOR/33)

The provisions of the WTO Agreement, including Jordan's Protocol of Accession, shall be applied uniformly throughout Jordan's customs territory and other territories under its control, including in regions engaging in border trade or frontier traffic, special economic zones, and other areas where special regimes for tariffs, taxes and regulations are established. In situation where WTO provisions were not being applied or were applied in a non-uniform manner, central authorities would act to enforce WTO provisions without requiring affected parties to petition through the courts. . (WP report para. 43)

3. Pricing Policies

Art.III (1) GATT provides that WTO members recognize that internal taxes and other internal charges, and laws, regulations and requirements affecting the internal sale, offering for sale, purchase, transportation, distribution or use of products, and internal quantitative regulations requiring the mixture, processing or use of products in specified amounts or proportions, should not be applied to imported or domestic products so as to afford protection to domestic production. Paragraph 9 from the same article provides that that internal maximum price control measures can have effects prejudicial to the interests of WTO members supplying imported products. Accordingly, WTO members applying such measures shall take account of the interests of exporting members with a view to avoiding to the fullest practicable extent such prejudicial effects.

Jordan is committed to apply the price and profitability controls in a WTO-consistent fashion, and would take account of the interests of exporting WTO Members as provided for in Article III:9 of the GATT 1994. Also, Jordan is committed to publish any list of goods and services subject to State price controls in the Official Journal, including any changes regarding existing price controls. (WP Report Para. 32)

4. Trading Rights,

Jordan is committed to make its laws, regulations and requirements relating to the right to import and export and all fees, charges or taxes levied on such rights in full conformity with its WTO obligations, including:

- GATT VIII:1(a) : that all fees and charges of whatever character (other than import and export duties and other than taxes within the purview of Article III) imposed by members on or in connection with importation or exportation shall be limited in amount to the approximate cost of services rendered and shall not represent an indirect protection to domestic products or a taxation of imports or exports for fiscal purposes.
- GATT XI:1 : that no prohibitions or restrictions other than duties, taxes or other charges shall be instituted or maintained by any member on the importation of any product of the territory of any

- other member or on the exportation or sale for export of any product destined for the territory of any other member.
- Art. III:2 and 4 of the GATT: (National Treatment) The products of the territory of any member imported into the territory of any other member shall not be subject, directly or indirectly, to internal taxes or other internal charges of any kind in excess of those applied, directly or indirectly, to like domestic products.

Further, the products of the territory of any member imported into the territory of any other member shall be accorded treatment no less favourable than that accorded to like products of national origin in respect of all laws, regulations and requirements affecting their internal sale, offering for sale, purchase, transportation, distribution or use.

5. Technical barriers, Sanitary and phytosanitary measures

Under the WTO there is an Agreement on the Application of Sanitary and Phytosanitary Measures sets out the basic rules for food safety and animal and plant health standards. It allows countries to set their own standards. But it also says regulations must be based on science. They should be applied only to the extent necessary to protect human, animal or plant life or health. And they should not arbitrarily or unjustifiably discriminate between countries where identical or similar conditions prevail. The agreement still allows countries to use different standards and different methods of inspecting products

The Agreement on Sanitary and Phytosanitary Measures (SPS) builds on previous GATT rules to restrict the use of unjustified sanitary and phytosanitary measures for the purpose of trade protection. The basic aim of the SPS Agreement is to maintain the sovereign right of any government to provide the level of health protection it deems appropriate, but to ensure that these sovereign rights are not misused for protectionist purposes and do not result in unnecessary barriers to international trade

Jordan is committed to apply its sanitary and phytosanitary standards system in conformity with WTO provisions under the Agreement on the Application of Sanitary and Phytosanitary Measures. Jordan further is committed not to apply stricter rules than those laid out by international organizations such as OIE will be applied. (WP Report Paragraph 151)

Further, there is an Agreement on Technical Barriers to Trade (TBT) which tries to ensure that regulations, standards, testing and certification procedures do not create unnecessary obstacles. The agreement sets out a code of good practice for the preparation, adoption and application of standards by central government bodies. The agreement says that the procedures used to decide whether a product conforms with national standards have to be fair and equitable.

It discourages any methods that would give domestically produced goods an unfair advantage.

Jordan is committed to comply with all obligations under the WTO Agreement on Technical Barriers to Trade (WP Report Paragraph 140). Jordan is committed to review its remaining 1,110 mandatory standards and to replace them with voluntary standards or with technical regulations, consistent with Article 2 of the TBT Agreement on Preparation, Adoption and Application of Technical Regulations by Central Government Bodies. (WP report, para.137)

Secondly, Notification Commitments

This category refers to notifications the Natural Resources Authority is concerned with under the WTO. The Authority has to prepare a draft of notification in coordination with Ministry of Industry and Trade which is the focal point in submitting notifications to the WTO

Notification Requirement	Type of Measure
Agreement on Import Licensing Procedures, Article 1.4 (a)	Names of publications in which rules and information relevant to the ILP Agreement are published; copies of publications
Agreement on Import Licensing Procedures, Article 7.3	Replies to questionnaire on import licensing procedures
Agreement on Sanitary and Phytosanitary Measures (SPS) Art.7	Members shall notify changes in their sanitary or phytosanitary measures and shall provide information on their sanitary or phytosanitary measures in accordance with the provisions of Annex B to the Agreement.
AGREEMENT ON TECHNICAL BARRIERS TO TRADE Art. 2.9.2	Notify other Members through the Secretariat of the products to be covered by the proposed technical regulation, together with a brief indication of its objective and rationale. Such notifications shall take place at an early appropriate stage, when amendments can still be introduced and comments taken into account;
TECHNICAL BARRIERS TO TRADE Art. 2.10	Subject to the provisions in the lead-in to paragraph 9, where urgent problems of safety, health, environmental protection or national security arise or threaten to arise for a Member, that Member may omit such of the steps enumerated in paragraph 9 as it finds necessary, provided that the Member, upon adoption of a technical regulation, shall notify immediately other Members through the Secretariat of the particular technical regulation and the products covered, with a brief indication of the objective and the rationale of the technical regulation, including the nature of the urgent problems

Notification Requirement	Type of Measure
TECHNICAL BARRIERS TO TRADE Art.5.6.2	notify other Members through the Secretariat of the products to be covered by the proposed conformity assessment procedure, together with a brief indication of its objective and rationale. Such notifications shall take place at an early appropriate stage, when amendments can still be introduced and comments taken into account
TECHNICAL BARRIERS TO TRADE Art. 10.7	Whenever a Member has reached an agreement with any other country or countries on issues related to technical regulations, standards or conformity assessment procedures which may have a significant effect on trade, at least one Member party to the agreement shall notify other Members through the Secretariat of the products to be covered by the agreement

dd. Special Economic Zones Directorate

Commitments imposed upon the Special economic Zones Directorate following to Jordan's accession to WTO are categorized as **Rules Commitments**.

This category of commitments refers to commitments stated in the Working Party Report and must be observed by relevant state bodies before making decisions, adopting policies, or taking legal measures that affect Jordan's foreign trade regime.

1. Making and Enforcing Policies

Jordan is committed that if Jordanian laws or other acts should be found to contradict international treaties or agreements, the provisions of the international treaty or agreement, such as the WTO, would apply. (WP report para. 43) ¹⁵

The provisions of the WTO Agreement, including Jordan's Protocol, shall be applied uniformly throughout Jordan's customs territory and other territories under its control, including in regions engaging in border trade or frontier traffic, special economic zones, and other areas where special regimes for tariffs, taxes and regulations are established. In situation where WTO provisions were not being applied or were applied in a non-uniform manner, central authorities would act to enforce WTO provisions without requiring affected parties to petition through the courts. WP report para. 43)

2. Trade-Related Investment Measures (TRIMS)

Under WTO system there is The Trade-Related Investment Measures (TRIMS) agreement which requires the membersto recognize certain investment measures restrict and distort trade. It provides that no member shall apply any TRIM inconsistent with Articles III (national treatment) and XI (prohibition of quantitative restrictions) of the GATT. To this end, an illustrative list of TRIMs agreed to be inconsistent with these articles is appended to the agreement. The list includes measures which require particular levels of local procurement by an enterprise ("local content requirements") or which restrict the volume or value of imports such an enterprise can purchase or use to an amount related to the level of products it exports ("trade balancing requirements"). Jordan is committed to ensure that there are not any measures inconsistent with the TRIMs Agreement. (WP report para. 153)

3. free zones

¹⁵ Report of the Working Party on the Accession of Jordan (WT/ACC/JOR/33)

Jordan is committed to subject free zones or free economic zones in Jordan to the commitments taken in the Protocol of Accession, and to ensure enforcement of its WTO obligations in those zones, including those commitments derived from the TRIPS Agreement. It is also committed that, when goods produced or imported into the zones under the special tax and tariff regime existing in these areas enter into the rest of Jordan, normal customs formalities, tariffs and taxes would be applied (WP Report 164)

4. Pricing Policies

Art.III (1) GATT provides that WTO members recognize that internal taxes and other internal charges, and laws, regulations and requirements affecting the internal sale, offering for sale, purchase, transportation, distribution or use of products, and internal quantitative regulations requiring the mixture, processing or use of products in specified amounts or proportions, should not be applied to imported or domestic products so as to afford protection to domestic production. Paragraph 9 from the same article provides that that internal maximum price control measures can have effects prejudicial to the interests of WTO members supplying imported products. Accordingly, WTO members applying such measures shall take account of the interests of exporting members with a view to avoiding to the fullest practicable extent such prejudicial effects.

Jordan is committed to apply the price and profitability controls in a WTO-consistent fashion, and would take account of the interests of exporting WTO Members as provided for in Article III:9 of the GATT 1994. Also, Jordan is committed to publish any list of goods and services subject to State price controls in the Official Journal, including any changes regarding existing price controls. (WP Report Para. 32)

5. Other Duties and Charges

Other Duties and Charges, Jordan is committed not to apply any Other Duties and Charges in addition to those that reflect the cost of services rendered in accordance with Article VIII of the GATT 1994. Further, Jordan is committed not to list any other charges in its Goods Market Access Schedule under Article II:1(b) of the GATT 1994, binding such charges at "zero". (WP report para 59)

6. Trading Rights,

Jordan is committed to make its laws, regulations and requirements relating to the right to import and export and all fees, charges or taxes levied on such rights in full conformity with its WTO obligations, including:

- GATT VIII:1(a) : that all fees and charges of whatever character (other than import and export duties and other than taxes within the purview of Article III) imposed by member or in connection with importation or exportation shall be limited in amount to the

approximate cost of services rendered and shall not represent an indirect protection to domestic products or a taxation of imports or exports for fiscal purposes.

- GATT XI:1 : that no prohibitions or restrictions other than duties, taxes or other charges shall be instituted or maintained by any member on the importation of any product of the territory of any other member or on the exportation or sale for export of any product destined for the territory of any other member.
- Art. III:2 and 4 of the GATT: (National Treatment) The products of the territory of any member imported into the territory of any other member shall not be subject, directly or indirectly, to internal taxes or other internal charges of any kind in excess of those applied, directly or indirectly, to like domestic products.

Further, the products of the territory of any member imported into the territory of any other member shall be accorded treatment no less favourable than that accorded to like products of national origin in respect of all laws, regulations and requirements affecting their internal sale, offering for sale, purchase, transportation, distribution or use.

ee. Telecommunications Regulatory Commission of Jordan

Commitments imposed upon the telecommunications Regulatory Commission (TRC), following to Jordan's accession to WTO, are categorized as the following:

Firstly, Rules Commitments

This category of commitments refers to commitments stated in the Working Party Report and must be observed by relevant state bodies before making decisions, adopting policies, or taking legal measures that affect Jordan's foreign trade regime.

1. Quantitative import restrictions

Jordan is committed that it would not introduce, re-introduce or apply quantitative restrictions on imports, or other non-tariff measures such as licensing, quotas, bans, permits, prior authorization requirements, licensing requirements and other restrictions having equivalent effect that cannot be justified under the provisions of the WTO Agreement. Any amendments to the import licensing regime shall be fully in accordance with all relevant provisions of the WTO, including the Agreement on Import Licensing Procedures. Any suspension of imports and exports or applying licensing requirements that could be used to suspend, ban, or otherwise restrict the quantity of trade shall be applied in conformity with the requirements of the WTO, in particular Articles XI, XII, XIII, XVIII, XIX, XX and XXI of the GATT 1994, and Agreement on Agriculture, Application of Sanitary and Phytosanitary Measures, Import Licensing Procedures, Safeguards and Technical Barriers to Trade. Thus, in applying any policy, decision or action the TRC shall not impose any restrictions that may affect imports of goods. (Working Party Report para. 88)¹⁶

In regards to Other Duties and Charges, Jordan is not permitted to apply any Other Duties and Charges in addition to those that reflect the cost of services rendered in accordance with Article VIII of the GATT 1994. Further, Jordan is committed not to list any other charges in its Goods Market Access Schedule under Article II:1(b) of the GATT 1994, binding such charges at "zero". (WP report para 59)

2. Making and Enforcing Policies

Jordan is committed that if Jordanian laws or other acts should be found to contradict international treaties or agreements, the provisions of the international treaty or agreement, such as the WTO, would apply. (WP report para. 43)

¹⁶ Report of the Working Party on the Accession of Jordan (WT/ACC/JOR/33)

The provisions of the WTO Agreement, including Jordan's Protocol of Accession, shall be applied uniformly throughout Jordan's customs territory and other territories under its control, including in regions engaging in border trade or frontier traffic, special economic zones, and other areas where special regimes for tariffs, taxes and regulations are established. In situation where WTO provisions were not being applied or were applied in a non-uniform manner, central authorities would act to enforce WTO provisions without requiring affected parties to petition through the courts. (WP report para. 43)

3. Pricing Policies

Art.III (1) GATT provides that WTO members recognize that internal taxes and other internal charges, and laws, regulations and requirements affecting the internal sale, offering for sale, purchase, transportation, distribution or use of products, and internal quantitative regulations requiring the mixture, processing or use of products in specified amounts or proportions, should not be applied to imported or domestic products so as to afford protection to domestic production. Paragraph 9 from the same article provides that that internal maximum price control measures can have effects prejudicial to the interests of WTO members supplying imported products. Accordingly, WTO members applying such measures shall take account of the interests of exporting members with a view to avoiding to the fullest practicable extent such prejudicial effects.

Jordan is committed to apply the price and profitability controls in a WTO-consistent fashion, and would take account of the interests of exporting WTO Members as provided for in Article III:9 of the GATT 1994. Also, Jordan is committed to publish any list of goods and services subject to State price controls in the Official Journal, including any changes regarding existing price controls. (WP Report Para. 32)

4. Trading Rights,

Jordan is committed to make its laws, regulations and requirements relating to the right to import and export and all fees, charges or taxes levied on such rights in full conformity with its WTO obligations, including:

GATT VIII:1(a) : that all fees and charges of whatever character (other than import and export duties and other than taxes within the purview of Article III) imposed by members on or in connection with importation or exportation shall be limited in amount to the approximate cost of services rendered and shall not represent an indirect protection to domestic products or a taxation of imports or exports for fiscal purposes.

GATT XI:1 : that no prohibitions or restrictions other than duties, taxes or other charges shall be instituted or maintained by any member on the importation of any product of the territory of any other member or on the exportation or sale for export of any product destined for the territory of any other member.

Art. III:2 and 4 of the GATT: (National Treatment) The products of the territory of any member imported into the territory of any other member shall not be subject, directly or indirectly, to internal taxes or other internal charges of any kind in excess of those applied, directly or indirectly, to like domestic products.

Further, the products of the territory of any member imported into the territory of any other member shall be accorded treatment no less favourable than that accorded to like products of national origin in respect of all laws, regulations and requirements affecting their internal sale, offering for sale, purchase, transportation, distribution or use.

5. Technical Barriers

There is an Agreement on Technical Barriers to Trade (TBT) which tries to ensure that regulations, standards, testing and certification procedures do not create unnecessary obstacles. The agreement sets out a code of good practice for the preparation, adoption and application of standards by central government bodies. The agreement says that the procedures used to decide whether a product conforms with national standards have to be fair and equitable. It discourages any methods that would give domestically produced goods an unfair advantage.

Jordan is committed to comply with all obligations under the WTO Agreement on Technical Barriers to Trade (WP Report Paragraph 140).

Secondly, Notification Commitments

This category refers to notifications that the TRC is concerned with under the WTO. The TRC has to prepare a draft of notification in coordination with Ministry of Industry and Trade which is the focal point in submitting notifications to the WTO.

Notification Requirement	Type of Measure
Agreement on Import Licensing Procedures, Article 1.4 (a)	Names of publications in which rules and information relevant to the ILP Agreement are published; copies of publications
Agreement on Import Licensing Procedures, Article 7.3	Replies to questionnaire on import licensing procedures
AGREEMENT ON TECHNICAL BARRIERS TO TRADE Art. 2.9.2	notify other Members through the Secretariat of the products to be covered by the proposed technical regulation, together with a brief indication of its objective and rationale. Such notifications shall take place at an early appropriate stage, when amendments can still be introduced and comments taken into account;

Notification Requirement	Type of Measure
TECHNICAL BARRIERS TO TRADE Art. 2.10	Subject to the provisions in the lead-in to paragraph 9, where urgent problems of safety, health, environmental protection or national security arise or threaten to arise for a Member, that Member may omit such of the steps enumerated in paragraph 9 as it finds necessary, provided that the Member, upon adoption of a technical regulation, shall notify immediately other Members through the Secretariat of the particular technical regulation and the products covered, with a brief indication of the objective and the rationale of the technical regulation, including the nature of the urgent problems
TECHNICAL BARRIERS TO TRADE Art.5.6.2	notify other Members through the Secretariat of the products to be covered by the proposed conformity assessment procedure, together with a brief indication of its objective and rationale. Such notifications shall take place at an early appropriate stage, when amendments can still be introduced and comments taken into account
GATS art. III (3)	Each Member shall promptly and at least annually inform the Council for Trade in Services of the introduction of any new, or any changes to existing, laws, regulations or administrative guidelines which significantly affect trade in services covered by its specific commitments under this Agreement.
GATS art. V (7)(a)	Members to agreement referred to in paragraph 1 art. V (agreements liberalizing trade in services between or among the parties to such an agreement) shall promptly notify any such agreement and any enlargement or any significant modification of that agreement to the Council for Trade in Services.
<i>GATS, Article XXI (1)(b) Modification of Schedules</i>	A Member shall notify its intent to modify or withdraw a commitment pursuant to this Article no later than three months before the intended date of implementation of the modification or withdrawal.
<i>GATS art. Article X(2) (Emergency Safeguard Measures)</i>	To notify any intention to modify or withdraw a specific commitment after a period of one year from the date on which the commitment enters into force; provided that the Member shows cause to the Council that the modification or withdrawal cannot await the lapse of the three-year period provided for in paragraph 1 of Article XXI.

Thirdly, Services Commitments.

WTO principles of freer and fairer trade apply also on services. These principles appear in the General Agreement on Trade in Services (GATS). WTO members have made individual commitments under GATS stating

which of their services sectors they are willing to open to foreign competition, and how accessible those markets are.

In this Manual, Service Commitments category refers to specific commitments in the Service Sector that must be observed by the TRC in making policy change or making a decision on a specific investment in the service sector.

Services commitments under the GATS are registered in schedules. Each Member of the WTO is required to have a schedule in which it registers its commitments to provide market access and national treatment to services and service suppliers of other Members. When making a commitment, a Member binds the level of market access and national treatment specified in the schedule and undertakes not to impose any new measures that would restrict entry into the market or discriminate in favour of services or services suppliers of national origin. A specific commitment thus has an effect similar to a tariff binding under the GATT. Commitments can only be withdrawn or modified after negotiation and agreement with other Members on a compensatory adjustment through which the modifying Member offers alternative commitments. However, new commitments and improvements to existing ones can be added at any time.

In nearly all schedules, commitments are divided into two sections: "horizontal" and "sector-specific" commitments. The horizontal section contains limitations which apply to all sectors included in the schedule. These often refer to particular modes of supply, notably commercial presence and movement of natural persons. The only purpose of having a section for horizontal commitments is to avoid repeating the same entry in relation to each sector contained in the schedule. Any evaluation of sector-specific commitments must therefore take into account the horizontal entries.

A schedule for the specific commitments related to the TRC is added below. In regards to formatting, all schedules conform to a standard formula which is intended to facilitate comparative analysis. For each sector or sub-sector inscribed, the schedule must indicate, with respect to the four modes of supply set out in Articles (I, paragraph 2 GATS) any limitations on market access or national treatment which are to be maintained.

The said four modes are:

- a. Cross border supply: the possibility for non-resident service suppliers to supply services cross-border into the Member's territory.
- b. Consumption abroad: the freedom for the Member's residents to purchase services in the territory of another Member
- c. Commercial presence: the opportunities for foreign service suppliers to establish, operate or expand a commercial presence in the Member's territory, such as a branch, agency, or wholly-owned subsidiary
- d. Presence of natural persons: the possibilities offered for the entry and temporary stay in the Member's territory of foreign individuals in order to supply a service.

A commitment therefore consists of eight entries which indicate the presence or absence of market access and/or national treatment limitations with respect to each mode of supply. The first column in the standard format contains the sector or sub-sector which is the subject of the commitment; the second column contains limitations on market access; the third column contains limitations on national treatment. In the fourth column, if any, a Member may enter any additional commitments relating to matters which are not subject to scheduling under market access or national treatment including those regarding qualifications, standards or licensing matters.

Finally, Most-Favoured-Nation treatment (MFN) is a general obligation that applies to all measures affecting trade in services. MFN consists of the commitment by a Member of WTO immediately and unconditionally to accord to any other Member of the WTO all the advantages it would accord to any other country. However, particular measures inconsistent with the MFN obligation can be maintained. Such measures must have been specified in a list of MFN Exemptions submitted by the member. Jordan has submitted a list of MFN exemptions attached to the schedule of specific commitments.

WTO Introductory Reports

Modes of supply: 1)Cross-Border supply 2)Consumption abroad 3)Commercial presence 4)
 Presence of natural persons

Sector or sub-sector	Limitations on market access	Limitations on national treatment	Additional commitments
A. HORIZONTAL COMMITMENTS			
All sectors included in this schedule			
		Regarding subsidies, modes (1), (2), (3) and (4) are Unbound.	
		(3) Foreign investments may not be less than JD 50,000. This does not apply to investments in public share-holding companies.	
		<u>Real Estate:</u> (3) All purchase of real estate by non-Jordanian firms must be related to the approved business activities and is subject to Cabinet authorization. Lease of real estate by non- Jordanian firms for more than three years is subject to Cabinet approval. All juridical entities are prohibited from engaging in real estate trading. <u>State Owned Land:</u> (3) Authorization for purchase or lease of state owned lands is restricted to Jordanian nationals.	
	(3) All investments in public utilities are generally subject to concession. In sectors where service provision is granted by concession, commercial establishment must be in the form of Public Shareholding Companies.		
	(4) Unbound except for measures concerning the entry and temporary stay of a natural person who falls in one of the following categories: <u>Business visitors</u> A natural person who stays in Jordan without acquiring remuneration from within Jordan and without engaging in making direct sales to the general public or supplying services, for the purposes of participating in business meetings, business contacts including negotiations for the sale of services and/or other similar activities including those to prepare for establishing a commercial presence in Jordan. Entry and stay shall be for a period of 90 days.	(4) Unbound, except for measures affecting the categories referred to under market access.	

Modes of supply: 1)Cross-Border supply 2)Consumption abroad 3)Commercial presence 4)
 Presence of natural persons

Sector or sub-sector	Limitations on market access	Limitations on national treatment	Additional commitments
	<p><u>Intra-Corporate Transferees</u> Natural persons employed by a juridical entity of another member for a period of not less than one year and who seek temporary stay in order to render services to (i) the same juridical entity which is engaged in substantive business operation in Jordan or (ii) a juridical entity constituted in Jordan and engaged in substantive business operation in Jordan which is owned by or controlled by or affiliated with the aforementioned juridical entity.</p>		
	<p><u>Executives</u> Natural persons who are senior employees of a juridical entity, who are responsible for the entire or a substantial part of the entity’s operations in Jordan, receiving general supervision or direction principally from higher level executives, the board of directors or stock-holders of the business.</p> <p><u>Managers</u> Natural persons who direct the juridical entity, or department or sub-division of the juridical entity, supervise and control the work of supervisory, professional or managerial employees, have the authority to hire and fire or recommend hiring, firing, or other personnel actions and exercise discretionary authority over day-to-day operations at a senior level.</p> <p><u>Specialists</u> Natural persons employed by a juridical entity and possess knowledge at an advanced level of expertise and proprietary knowledge of a juridical entity product, service, research, equipment, techniques, or management.</p>		

WTO Introductory Reports

Modes of supply: 1)Cross-Border supply 2)Consumption abroad 3)Commercial presence 4) Presence of natural persons

Sector or sub-sector	Limitations on market access	Limitations on national treatment	Additional commitments
	<p><u>Professionals</u> Natural persons seeking to engage, as part of services contract granted by a juridical entity engaged in substantive business in Jordan and obtained by a juridical entity of another Member, (other than entities providing services as defined by CPC872) which has no commercial presence in Jordan in the activity at a professional level. The person must possess the necessary academic credentials and professional qualifications, which have been duly recognized, where appropriate by the professional association in Jordan. The commitment relates only to the service activity which is the subject of the contract. Work permits for all categories are granted on the basis of an economic needs test, i.e. to candidates whose qualifications are not available in Jordanians or those who are seeking work in fields in which Jordanians are in short supply. Intra-corporate transferees who are executives, managers and specialists (as defined above) are presumed to meet the economic needs test requirements.</p>		
	<p>Temporary work and residency-permits are required. Such permits are issued for a maximum period of one year, but are renewable.</p>		
		<p><u>Residency requirements:</u> (4) Managing director of a branch or juridical entity must be resident in Jordan.</p>	

Sector or sub-sector	Limitations on market access	Limitations on national treatment
C. Telecommunication Services		

WTO Introductory Reports

Sector or sub-sector	Limitations on market access	Limitations on national treatment
Jordan has removed its market access limitation on spectrum availability		
(a) Voice telephone services (CPC 7521) (d) Telex services (CPC 7523) (e) Telegraph services(CPC 7522) (f) Facsimile services(CPC 7521 + 7529) (g) Private leased circuit services ¹⁷ (7522+7523)	(1) International callback is not allowed. Starting no later than 31 December 2004, none. (2) None (3) Jordan Telecommunications Company (JTC) has the exclusive right until 31 December 2004. Starting no later than 31 December 2004, none. (4) Unbound, except as indicated in the horizontal section.	(1) International callback is not allowed. Starting no later than 31 December 2004, none. (2) None (3) Unbound. Starting no later than 31 December 2004, none. (4) Unbound, except as indicated in the horizontal section.
(b) Packet- switched data transmission services(CPC 7523) ©Circuit- switched data transmission services (CPC 7523) Value added services: e-mail(CPC 7523) voice-mail (CPC 7523) On-line information and data base-retrieval(CPC 7523) Electronic Data Interchange(CPC 7523) Enhanced value added facsimile services (CPC 7523) Code and protocol conversion (n) On-line information and/or data processing (including transaction processing) (CPC 843) Internet (excluding (CP843) voice)v telephone and facsimile services)	None None Service provided only over circuits leased from JTC. Starting no later than 31December 2004, none. (4)Unbound, except as indicated in the horizontal section.	None (2) None (3) None (4) Unbound, except as indicated in the horizontal section.
(o) Other:		
Mobile voice and data services	None None (3) Duopoly will be maintained until 31 December 2003. Commercial presence is subject to 51% foreign equity limitation. Starting no later than 31 December 2004, none. (4) Unbound, except as indicated in the horizontal section	None (2) None (3) Unbound. Starting no later than 31 December 2004, none. (4) Unbound, except as indicated in the horizontal section.

¹⁷ Additional Commitments: Jordan undertakes the obligations contained in the reference paper attached hereto.

Sector or sub-sector	Limitations on market access	Limitations on national treatment
Global Mobile Personal Communication by Satellite	None (2) None (3) None, except through local authorized provider (gateway provider). (4) Unbound, except as indicated in the horizontal section.	None None None (4) Unbound, except as indicated in the horizontal section.
Paging Services (land based) (CPC 75291)	None None The total number of service suppliers is subject to an economic needs test. Starting no later than 31 December 2004, none. (4) Unbound, except as indicated in the horizontal section.	None None None (4) Unbound, except as indicated in the horizontal section.
Public pay-phone services (booth services)	International callback is not allowed. Starting no later than 31 December 2004, none. (2) None The total number of service suppliers is subject to an economic needs test. Starting no later than 31 December 2004, none. (4) Unbound, except as indicated in the horizontal section.	International callback is not allowed. Starting no later than 31 December 2004, none. None None (4) Unbound, except as indicated in the horizontal section.

ff. The Port Authority of Jordan

Following to Jordan's accession to the WTO, various commitments are imposed upon the Port Authority. Those commitments are mainly services commitments.

In this Manual, Service Commitments category refers to specific commitments in the Service Sector that must be observed by the Port Authority in making policy change or making a decision on a specific investment in the service sector.

Service commitments under the GATS are registered in schedules. Each Member of the WTO is required to have a schedule in which it registers its commitments to provide market access and national treatment to services and service suppliers of other Members. When making a commitment, a Member binds the level of market access and national treatment specified in the schedule and undertakes not to impose any new measures that would restrict entry into the market or discriminate in favour of services or services suppliers of national origin. A specific commitment thus has an effect similar to a tariff binding under the GATT. Commitments can only be withdrawn or modified after negotiation and agreement with other Members on a compensatory adjustment through which the modifying Member offers alternative commitments. However, new commitments and improvements to existing ones can be added at any time.

In nearly all schedules, commitments are divided into two sections: "horizontal" and "sector-specific" commitments. The horizontal section contains limitations which apply to all sectors included in the schedule. These often refer to particular modes of supply, notably commercial presence and movement of natural persons. The only purpose of having a section for horizontal commitments is to avoid repeating the same entry in relation to each sector contained in the schedule. Any evaluation of sector-specific commitments must therefore take into account the horizontal entries.

A schedule for the specific commitments related to the Port Authority is added below. In regards to formatting, all schedules conform to a standard formula which is intended to facilitate comparative analysis. For each sector or sub-sector inscribed, the schedule must indicate, with respect to the four modes of supply set out in Articles (I, paragraph 2 GATS) any limitations on market access or national treatment which are to be maintained.

The said four modes are (in the schedule, such modes will be referred to by their red numbers):

- a. Cross border supply: the possibility for non-resident service suppliers to supply services cross-border into the Member's territory.
- b. Consumption abroad: the freedom for the Member's residents to purchase services in the territory of another Member

- c. Commercial presence: the opportunities for foreign service suppliers to establish, operate or expand a commercial presence in the Member's territory, such as a branch, agency, or wholly-owned subsidiary
- d. Presence of natural persons: the possibilities offered for the entry and temporary stay in the Member's territory of foreign individuals in order to supply a service.

A commitment therefore consists of eight entries which indicate the presence or absence of market access and/or national treatment limitations with respect to each mode of supply. The first column in the standard format contains the sector or sub-sector which is the subject of the commitment; the second column contains limitations on market access; the third column contains limitations on national treatment. In the fourth column, if any, a Member may enter any additional commitments relating to matters which are not subject to scheduling under market access or national treatment.

Finally, Most-Favoured-Nation treatment (MFN) is a general obligation that applies to all measures affecting trade in services. MFN consists of the commitment by a Member of WTO immediately and unconditionally to accord to any other Member of the WTO all the advantages it would accord to any other country. However, particular measures inconsistent with the MFN obligation can be maintained. Such measures must have been specified in a list of MFN Exemptions submitted by the member. Jordan has submitted a list of MFN exemptions attached to the schedule of specific commitments.

Modes of supply: 1)Cross-Border supply 2)Consumption abroad 3)Commercial presence 4) Presence of natural persons

Sector or sub-sector	Limitations on market access	Limitations on national treatment	Additional commitments
A. HORIZONTAL COMMITMENTS			
All sectors included in this schedule			
		Regarding subsidies, modes (1), (2), (3) and (4) are Unbound.	
		(3) Foreign investments may not be less than JD 50,000. This does not apply to investments in public share-holding companies.	
		<u>Real Estate:</u> (3) All purchase of real estate by non-Jordanian firms must be related to the approved business activities and is subject to Cabinet authorization. Lease of real estate by non-Jordanian firms for more than three years is subject to Cabinet approval. All juridical entities are prohibited from engaging in real estate trading. <u>State Owned Land:</u> (3) Authorization for purchase or lease of state owned lands is restricted to Jordanian nationals.	

WTO Introductory Reports

Modes of supply: 1)Cross-Border supply 2)Consumption abroad 3)Commercial presence 4) Presence of natural persons

Sector or sub-sector	Limitations on market access	Limitations on national treatment	Additional commitments
	<p>(3) All investments in public utilities are generally subject to concession. In sectors where service provision is granted by concession, commercial establishment must be in the form of Public Shareholding Companies.</p>		
	<p>(4) Unbound except for measures concerning the entry and temporary stay of a natural person who falls in one of the following categories:</p> <p><u>Business visitors</u> A natural person who stays in Jordan without acquiring remuneration from within Jordan and without engaging in making direct sales to the general public or supplying services, for the purposes of participating in business meetings, business contacts including negotiations for the sale of services and/or other similar activities including those to prepare for establishing a commercial presence in Jordan. Entry and stay shall be for a period of 90 days.</p> <p><u>Intra-Corporate Transferees</u> Natural persons employed by a juridical entity of another member for a period of not less than one year and who seek temporary stay in order to render services to (i) the same juridical entity which is engaged in substantive business operation in Jordan or (ii) a juridical entity constituted in Jordan and engaged in substantive business operation in Jordan which is owned by or controlled by or affiliated with the aforementioned juridical entity.</p>	<p>(4) Unbound, except for measures affecting the categories referred to under market access.</p>	

WTO Introductory Reports

Modes of supply: 1)Cross-Border supply 2)Consumption abroad 3)Commercial presence 4) Presence of natural persons

Sector or sub-sector	Limitations on market access	Limitations on national treatment	Additional commitments
	<p><u>Executives</u> Natural persons who are senior employees of a juridical entity, who are responsible for the entire or a substantial part of the entity's operations in Jordan, receiving general supervision or direction principally from higher level executives, the board of directors or stock-holders of the business.</p> <p><u>Managers</u> Natural persons who direct the juridical entity, or department or sub-division of the juridical entity, supervise and control the work of supervisory, professional or managerial employees, have the authority to hire and fire or recommend hiring, firing, or other personnel actions and exercise discretionary authority over day-to-day operations at a senior level.</p> <p><u>Specialists</u> Natural persons employed by a juridical entity and possess knowledge at an advanced level of expertise and proprietary knowledge of a juridical entity product, service, research, equipment, techniques, or management.</p>		

WTO Introductory Reports

Modes of supply: 1)Cross-Border supply 2)Consumption abroad 3)Commercial presence 4) Presence of natural persons

Sector or sub-sector	Limitations on market access	Limitations on national treatment	Additional commitments
	<p><u>Professionals</u> Natural persons seeking to engage, as part of services contract granted by a juridical entity engaged in substantive business in Jordan and obtained by a juridical entity of another Member, (other than entities providing services as defined by CPC872) which has no commercial presence in Jordan in the activity at a professional level. The person must possess the necessary academic credentials and professional qualifications, which have been duly recognized, where appropriate by the professional association in Jordan. The commitment relates only to the service activity which is the subject of the contract. Work permits for all categories are granted on the basis of an economic needs test, i.e. to candidates whose qualifications are not available in Jordanians or those who are seeking work in fields in which Jordanians are in short supply. Intra-corporate transferees who are executives, managers and specialists (as defined above) are presumed to meet the economic needs test requirements.</p>		
	<p>Temporary work and residency permits are required. Such permits are issued for a maximum period of one year, but are renewable.</p>		
		<p><u>Residency requirements:</u> (4) Managing director of a branch or juridical entity must be resident in Jordan.</p>	

<p>11. TRANSPORT SERVICES</p>
<p>Commercial presence (in mode 3) is subject to 50 % foreign equity limitation.</p>
<p>A. Maritime Transport Services: Transport services by Sea –going vessels (CPC 721)</p>

<p>(a) Passenger transportation (CPC 7211) (b) Freight transportation (CPC 7212)</p>	<p>(1) (a) Liner Shipping: None, but all ships docking in Jordan must have a local Port Agent. (b) Bulk, tramp, and other international shipping, including passenger transportation: None (2) None (3) (a) Establishment of registered company for the purpose of operating a fleet under the national flag of Jordan: None (b) Other forms of commercial presence for the supply of international maritime transport services: None (4) Unbound, except as indicated in horizontal section. 1/5 of crew on Jordanian ships must be Jordanian.</p>	<p>(1) None (2) None (3) Service fees for pilotage, berthing and docking are 10% less for Jordanian ships. Jordanian ships are exempt from any Port dues when anchoring in Jordanian territorial waters. Jordanian ships enjoy preferential treatment in prices of bunker provided at the Aqaba Port. (4) Unbound, except as indicated in the horizontal section.</p>	<p>The following services at the port are made available to international maritime transport suppliers on reasonable and non-discriminatory terms and conditions: 1. Pilotage (excluded) 2. Towing and tug assistance 3. Provisioning, fuelling, and watering. 4. Garbage collecting and ballast waste disposal. 5. Port Captain's services. 6. Navigation aids. 7. Shore-based operational services, essential to ship operations including communications, water and electrical supplies. 8. Emergency repair facilities. 9. Anchorage, berth and berthing services(excluded). Please note that Pilotage and anchorage services have been excluded due to the national treatment limitation as seen from commitments under the national treatment column.</p>
<p>Maritime Auxiliary Services</p>			
<p>(c) Rental services of sea-going vessels with operator (CPC 7213)</p>	<p>(1) None (2) None (3) None- (4) Unbound, except as indicated in the horizontal section.</p>	<p>(1) None (2) None (3) None- (4) Unbound, except as indicated in the horizontal section.</p>	
<p>(d) Maintenance and repair of vessels (CPC 8868)</p>	<p>(1) None (2) None (3) Access restricted to Jordanian natural or juridical entities. (4) Unbound, except as indicated in the horizontal section.</p>	<p>(1) None (2) None (3) None (4) Unbound, except as indicated in the horizontal section.</p>	
<p>Storage and warehousing services (CPC 742)</p>	<p>(1) Unbound* (2) None (3) None** (4) Unbound, except as indicated in the horizontal section.</p>	<p>(1) Unbound* (2) None (3) None** (4) Unbound, except as indicated in the horizontal section.</p>	

* A commitment on this mode of delivery is not feasible.

** Public utility concession or licensing procedures may apply in case of occupation of the public domain

WTO Introductory Reports

Shipping Agents Maritime Freight Forwarding Services (CPC 748) Maritime Freight Inspection services (CPC 749) Food Supply Catering (Provisioning)	(1) Unbound. (2) None (3) Access restricted to Jordanian natural or juridical entities. (4) Unbound except as indicated in the horizontal section.	(1) Unbound (2) None (3) None (4) Unbound, except as indicated in the horizontal section.	
C. Air Transport Services (as defined in the Annex on Air Transport)			
Maintenance and repair of Aircraft (part of CPC 8868)	(1) Subject to an agreement with Royal Jordanian Airline (National Carrier). (2) None (3) Unbound (4) Unbound, except as indicated in the horizontal section.	(1) None (2) None (3) None (4) Unbound, except as indicated in the horizontal section.	
Computer Reservation Systems (CRS): Sales and Marketing Maintenance and Repair	(1) None (2) None (3) None (4) Unbound, except as indicated in the horizontal section.	(1) None (2) None (3) None (4) Unbound, except as indicated in the horizontal section.	
Air Auxiliary Services			
Freight forwarding services (part of CPC 748)	(1) None (2) None (3) Access restricted to Jordanian natural or juridical entities. Director must be a Jordanian national. (4) Unbound, except as indicated in the horizontal section. Director must be a Jordanian national.	(1) None (2) None (3) None (4) Unbound, except as indicated in the horizontal section.	
Packing and crating and de-packing and de- crating services (part of CPC 749)	(1) None (2) None (3) Access restricted to Jordanian natural or juridical entities. (4) Unbound except as indicated in the horizontal section.	(1) None (2) None (3) None (4) Unbound, except as indicated in the horizontal section.	

<p>Freight inspection services (part of CPC 749) excluding pre-shipment inspection for customs valuation purposes on imports.</p>	<p>(1) None, Jordan does not accept pre-shipment inspection for customs valuation purposes on imports. (2) None, Jordan does not accept pre-shipment inspection for customs valuation purposes on imports. (3) Access restricted to freight forwarders in the form of Jordanian natural or juridical entities. Director must be a Jordanian national. Once issuance of specialized licenses for provision of freight inspection services is regulated, access will also be granted to inspection firms in the form of Jordanian natural or juridical entities. (4) Unbound, except as indicated in the horizontal section. Director must be a Jordanian national.</p>	<p>(1) None (2) None (3) None (4) Unbound, except as indicated in the horizontal section.</p>	
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GATS NOTIFICATIONS

The Authority is concerned with certain notification commitments under the GATS. Such notification shall be prepared in coordination with Ministry of Industry and Trade.

<p>GATS art. V (7)(a)</p>	<p>Members to agreement referred to in paragraph 1 art. V (agreements liberalizing trade in services between or among the parties to such an agreement) shall promptly notify any such agreement and any enlargement or any significant modification of that agreement to the Council for Trade in Services.</p>
<p><i>GATS, Article XXI (1)(b) Modification of Schedules</i></p>	<p>A Member shall notify its intent to modify or withdraw a commitment pursuant to this Article no later than three months before the intended date of implementation of the modification or withdrawal.</p>
<p><i>GATS art. Article X(2) (Emergency Safeguard Measures)</i></p>	<p>To notify any intention to modify or withdraw a specific commitment after a period of one year from the date on which the commitment enters into force; provided that the Member shows cause to the Council that the modification or withdrawal cannot await the lapse of the three-year period provided for in paragraph 1 of Article XXI.</p>

gg. Civil Aviation Authority

Following to Jordan's accession to the WTO, various commitments are imposed upon the Civil Aviation Authority. Those commitments are mainly services commitments.

In this Manual, Service Commitments category refers to specific commitments in the Service Sector that must be observed by the Civil Aviation Authority in making policy change or making a decision on a specific investment in the service sector.

Service commitments under the GATS are registered in schedules. Each Member of the WTO is required to have a schedule in which it registers its commitments to provide market access and national treatment to services and service suppliers of other Members. When making a commitment, a Member binds the level of market access and national treatment specified in the schedule and undertakes not to impose any new measures that would restrict entry into the market or discriminate in favour of services or services suppliers of national origin. A specific commitment thus has an effect similar to a tariff binding under the GATT. Commitments can only be withdrawn or modified after negotiation and agreement with other Members on a compensatory adjustment through which the modifying Member offers alternative commitments. However, new commitments and improvements to existing ones can be added at any time.

In nearly all schedules, commitments are divided into two sections: "horizontal" and "sector-specific" commitments. The horizontal section contains limitations which apply to all sectors included in the schedule. These often refer to particular modes of supply, notably commercial presence and movement of natural persons. The only purpose of having a section for horizontal commitments is to avoid repeating the same entry in relation to each sector contained in the schedule. Any evaluation of sector-specific commitments must therefore take into account the horizontal entries.

A schedule for the specific commitments related to the Civil Aviation Authority is added below. In regards to formatting, all schedules conform to a standard formula which is intended to facilitate comparative analysis. For each sector or sub-sector inscribed, the schedule must indicate, with respect to the four modes of supply set out in Articles (I, paragraph 2 GATS) any limitations on market access or national treatment which are to be maintained.

The said four modes are (in the schedule, such modes will be referred to by their red numbers):

1. Cross border supply: the possibility for non-resident service suppliers to supply services cross-border into the Member's territory.
2. Consumption abroad: the freedom for the Member's residents to purchase services in the territory of another Member
3. Commercial presence: the opportunities for foreign service suppliers to establish, operate or expand a commercial presence in the Member's territory, such as a branch, agency, or wholly-owned subsidiary

4. Presence of natural persons: the possibilities offered for the entry and temporary stay in the Member's territory of foreign individuals in order to supply a service.

A commitment therefore consists of eight entries which indicate the presence or absence of market access and/or national treatment limitations with respect to each mode of supply. The first column in the standard format contains the sector or sub-sector which is the subject of the commitment; the second column contains limitations on market access; the third column contains limitations on national treatment. In the fourth column, if any, a Member may enter any additional commitments relating to matters which are not subject to scheduling under market access or national treatment.

Finally, Most-Favoured-Nation treatment (MFN) is a general obligation that applies to all measures affecting trade in services. MFN consists of the commitment by a Member of WTO immediately and unconditionally to accord to any other Member of the WTO all the advantages it would accord to any other country. However, particular measures inconsistent with the MFN obligation can be maintained. Such measures must have been specified in a list of MFN Exemptions submitted by the member. Jordan has submitted a list of MFN exemptions attached to the schedule of specific commitments.

Modes of supply: 1)Cross-Border supply 2)Consumption abroad 3)Commercial presence
4) Presence of natural persons

Sector or sub-sector	Limitations on market access	Limitations on national treatment	Additional commitments
A. HORIZONTAL COMMITMENTS			
All sectors included in this schedule			
		Regarding subsidies, modes (1), (2), (3) and (4) are Unbound.	
		(3) Foreign investments may not be less than JD 50,000. This does not apply to investments in public share-holding companies.	
		<u>Real Estate:</u> (3) All purchase of real estate by non-Jordanian firms must be related to the approved business activities and is subject to Cabinet authorization. Lease of real estate by non-Jordanian firms for more than three years is subject to Cabinet approval. All juridical entities are prohibited from engaging in real estate trading. <u>State Owned Land:</u> (3) Authorization for purchase or lease of state owned lands is restricted to Jordanian nationals.	

Modes of supply: 1)Cross-Border supply 2)Consumption abroad 3)Commercial presence
4) Presence of natural persons

Sector or sub-sector	Limitations on market access	Limitations on national treatment	Additional commitments
	<p>(3) All investments in public utilities are generally subject to concession. In sectors where service provision is granted by concession, commercial establishment must be in the form of Public Shareholding Companies.</p>		
	<p>(4) Unbound except for measures concerning the entry and temporary stay of a natural person who falls in one of the following categories:</p> <p><u>Business visitors</u> A natural person who stays in Jordan without acquiring remuneration from within Jordan and without engaging in making direct sales to the general public or supplying services, for the purposes of participating in business meetings, business contacts including negotiations for the sale of services and/or other similar activities including those to prepare for establishing a commercial presence in Jordan. Entry and stay shall be for a period of 90 days.</p> <p><u>Intra-Corporate Transferees</u> Natural persons employed by a juridical entity of another member for a period of not less than one year and who seek temporary stay in order to render services to (i) the same juridical entity which is engaged in substantive business operation in Jordan or (ii) a juridical entity constituted in Jordan and engaged in substantive business operation in Jordan which is owned by or controlled by or affiliated with the aforementioned juridical entity.</p>	<p>(4) Unbound, except for measures affecting the categories referred to under market access.</p>	

Modes of supply: 1)Cross-Border supply 2)Consumption abroad 3)Commercial presence
4) Presence of natural persons

Sector or sub-sector	Limitations on market access	Limitations on national treatment	Additional commitments
	<p><u>Executives</u> Natural persons who are senior employees of a juridical entity, who are responsible for the entire or a substantial part of the entity's operations in Jordan, receiving general supervision or direction principally from higher level executives, the board of directors or stock-holders of the business.</p> <p><u>Managers</u> Natural persons who direct the juridical entity, or department or sub-division of the juridical entity, supervise and control the work of supervisory, professional or managerial employees, have the authority to hire and fire or recommend hiring, firing, or other personnel actions and exercise discretionary authority over day-to-day operations at a senior level.</p> <p><u>Specialists</u> Natural persons employed by a juridical entity and possess knowledge at an advanced level of expertise and proprietary knowledge of a juridical entity product, service, research, equipment, techniques, or management.</p>		

Modes of supply: 1)Cross-Border supply 2)Consumption abroad 3)Commercial presence
4) Presence of natural persons

Sector or sub-sector	Limitations on market access	Limitations on national treatment	Additional commitments
	<p><u>Professionals</u> Natural persons seeking to engage, as part of services contract granted by a juridical entity engaged in substantive business in Jordan and obtained by a juridical entity of another Member, (other than entities providing services as defined by CPC872) which has no commercial presence in Jordan in the activity at a professional level. The person must possess the necessary academic credentials and professional qualifications, which have been duly recognized, where appropriate by the professional association in Jordan. The commitment relates only to the service activity which is the subject of the contract.</p> <p>Work permits for all categories are granted on the basis of an economic—needs test, i.e. to candidates whose qualifications are not available in Jordanians or those who are seeking work in fields in which Jordanians are in short supply.</p> <p>Intra-corporate transferees who are executives, managers and specialists (as defined above) are presumed to meet the economic needs test requirements.</p>		
	<p>Temporary work and residency permits are required. Such permits are issued for a maximum period of one year, but are renewable.</p>		
		<p><u>Residency requirements:</u> (4) Managing director of a branch or juridical entity must be resident in Jordan.</p>	

Sector or sub-sector	Limitations on market access	Limitations on national treatment
11. TRANSPORT SERVICES		
Commercial presence (in mode 3) is subject to 50 % foreign equity limitation.		

Sector or sub-sector	Limitations on market access	Limitations on national treatment
Maintenance and repair of Aircraft(part of CPC 8868)	(1) Subject to an agreement with Royal Jordanian Airline (National Carrier). (2) None (3) Unbound (4) Unbound, except as indicated in the horizontal section.	(1) None (2) None (3) None (4) Unbound, except as indicated in the horizontal section.
Computer Reservation Systems (CRS): Sales and Marketing Maintenance and Repair	(1) None (2) None (3) None (4) Unbound, except as indicated in the horizontal section.	(1) None (2) None (3) None (4) Unbound, except as indicated in the horizontal section.
Air Auxiliary Services		
Freight forwarding services (part of CPC 748)	(1) None (2) None (3) Access restricted to Jordanian natural or juridical entities. Director must be a Jordanian national. (4) Unbound, except as indicated in the horizontal section. Director must be a Jordanian national.	(1) None (2) None (3) None (4) Unbound, except as indicated in the horizontal section.
Packing and crating and de-packing and de-crating services (part of CPC 749)	(1) None (2) None (3) Access restricted to Jordanian natural or juridical entities. (4) Unbound except as indicated in the horizontal section.	(1) None (2) None (3) None (4) Unbound, except as indicated in the horizontal section.
Freight inspection services (part of CPC 749) excluding pre-shipment inspection for customs valuation purposes on imports.	(1) None, Jordan does not accept pre-shipment inspection for customs valuation purposes on imports. (2) None, Jordan does not accept pre-shipment inspection for customs valuation purposes on imports. (3) Access restricted to freight forwarders in the form of Jordanian natural or juridical entities. Director must be a Jordanian national. Once issuance of specialized licenses for provision of freight inspection services is regulated, access will also be granted to inspection firms in the form of Jordanian natural or juridical entities. (4) Unbound, except as indicated in the horizontal section. Director must be a Jordanian national.	(1) None (2) None (3) None (4) Unbound, except as indicated in the horizontal section.

GATS NOTIFICATIONS

The Civil Aviation Authority is concerned with certain notification commitments under the GATS. Such notification shall be prepared in coordination with Ministry of Industry and Trade.

GATS art. V (7)(a)	Members to agreement referred to in paragraph 1 art. V (agreements liberalizing trade in services between or among the parties to such an agreement) shall promptly notify any such agreement and any enlargement or any significant modification of that agreement to the Council for Trade in Services.
<i>GATS, Article XXI (1)(b) Modification of Schedules</i>	A Member shall notify its intent to modify or withdraw a commitment pursuant to this Article no later than three months before the intended date of implementation of the modification or withdrawal.
GATS art. <i>Article X(2) (Emergency Safeguard Measures)</i>	To notify any intention to modify or withdraw a specific commitment after a period of one year from the date on which the commitment enters into force; provided that the Member shows cause to the Council that the modification or withdrawal cannot await the lapse of the three-year period provided for in paragraph 1 of Article XXI.

hh. Ministry of Interior, Public Security Department (PSD)

Commitments imposed upon Ministry of Interior following to Jordan's accession to the WTO are categorized as the following:

Firstly, Rules Commitments

This category of commitments refers to commitments stated in the Working Party Report and must be observed by relevant state bodies before making decisions, adopting policies, or taking legal measures that affect Jordan's foreign trade regime.

1. Quantitative import restrictions

Jordan is committed that it would not introduce, re-introduce or apply quantitative restrictions on imports, or other non-tariff measures such as licensing, quotas, bans, permits, prior authorization requirements, licensing requirements and other restrictions having equivalent effect that cannot be justified under the provisions of the WTO Agreement. Any amendments to the import licensing regime shall be fully in accordance with all relevant provisions of the WTO, including the Agreement on Import Licensing Procedures. Any suspension of imports and exports or applying licensing requirements that could be used to suspend, ban, or otherwise restrict the quantity of trade shall be applied in conformity with the requirements of the WTO, in particular Articles XI, XII, XIII, XVIII, XIX, XX and XXI of the GATT 1994, and Agreement on Agriculture, Application of Sanitary and Phytosanitary Measures, Import Licensing Procedures, Safeguards and Technical Barriers to Trade. Thus, in applying any policy, decision or action the Ministry shall not impose restrictions effect imports of goods. (Working Party Report para. 88)¹⁸

In regards to Other Duties and Charges, Jordan is not permitted to apply any Other Duties and Charges in addition to those that reflect the cost of services rendered in accordance with Article VIII of the GATT 1994. Further, Jordan is committed not to list any other charges in its Goods Market Access Schedule under Article II:1(b) of the GATT 1994, binding such charges at "zero". (WP report para 59)

2. Making and Enforcing Policies

Jordan is committed that if Jordanian laws or other acts should be found to contradict international treaties or agreements, the provisions of the international treaty or agreement, such as the WTO, would apply. (WP report para. 43)

The provisions of the WTO Agreement, including Jordan's Protocol of Accession, shall be applied uniformly throughout Jordan's customs

¹⁸ Report of the Working Party on the Accession of Jordan (WT/ACC/JOR/33)

territory and other territories under its control, including in regions engaging in border trade or frontier traffic, special economic zones, and other areas where special regimes for tariffs, taxes and regulations are established. In situation where WTO provisions were not being applied or were applied in a non-uniform manner, central authorities would act to enforce WTO provisions without requiring affected parties to petition through the courts. (WP report para. 43)

3. Pricing Policies

Art.III (1) GATT provides that WTO members recognize that internal taxes and other internal charges, and laws, regulations and requirements affecting the internal sale, offering for sale, purchase, transportation, distribution or use of products, and internal quantitative regulations requiring the mixture, processing or use of products in specified amounts or proportions, should not be applied to imported or domestic products so as to afford protection to domestic production. Paragraph 9 from the same article provides that that internal maximum price control measures can have effects prejudicial to the interests of WTO members supplying imported products. Accordingly, WTO members applying such measures shall take account of the interests of exporting members with a view to avoiding to the fullest practicable extent such prejudicial effects.

Jordan is committed to apply the price and profitability controls in a WTO-consistent fashion, and would take account of the interests of exporting WTO Members as provided for in Article III:9 of the GATT 1994. Also, Jordan is committed to publish any list of goods and services subject to State price controls in the Official Journal, including any changes regarding existing price controls. (WP Report Para. 32)

4. Trading Rights,

Jordan is committed to make its laws, regulations and requirements relating to the right to import and export and all fees, charges or taxes levied on such rights in full conformity with its WTO obligations, including:

- GATT VIII:1(a) : that all fees and charges of whatever character (other than import and export duties and other than taxes within the purview of Article III) imposed by members on or in connection with importation or exportation shall be limited in amount to the approximate cost of services rendered and shall not represent an indirect protection to domestic products or a taxation of imports or exports for fiscal purposes.
- GATT XI:1 : that no prohibitions or restrictions other than duties, taxes or other charges shall be instituted or maintained by any member on the importation of any product of the territory of any other member or on the exportation or sale for export of any product destined for the territory of any other member.

- Art. III:2 and 4 of the GATT: (National Treatment) The products of the territory of any member imported into the territory of any other member shall not be subject, directly or indirectly, to internal taxes or other internal charges of any kind in excess of those applied, directly or indirectly, to like domestic products.

Further, the products of the territory of any member imported into the territory of any other member shall be accorded treatment no less favourable than that accorded to like products of national origin in respect of all laws, regulations and requirements affecting their internal sale, offering for sale, purchase, transportation, distribution or use.

Secondly, Notification Commitments

This category refers to notifications that the Ministry is concerned under the WTO. The Ministry has to prepare a draft of notification in coordination with Ministry of Industry and Trade which is the focal point in submitting notifications to the WTO.

Notification Requirement	Type of Measure
Agreement on Import Licensing Procedures, Article 1.4 (a)	Names of publications in which rules and information relevant to the ILP Agreement are published; copies of publications
Agreement on Import Licensing Procedures, Article 7.3	Replies to questionnaire on import licensing procedures
GATS art. III (3)	Each Member shall promptly and at least annually inform the Council for Trade in Services of the introduction of any new, or any changes to existing, laws, regulations or administrative guidelines which significantly affect trade in services covered by its specific commitments under this Agreement.
GATS art. V (7)(a)	Members to agreement referred to in paragraph 1 art. V (agreements liberalizing trade in services between or among the parties to such an agreement) shall promptly notify any such agreement and any enlargement or any significant modification of that agreement to the Council for Trade in Services.
<i>GATS, Article XXI (1)(b) Modification of Schedules</i>	A Member shall notify its intent to modify or withdraw a commitment pursuant to this Article no later than three months before the intended date of implementation of the modification or withdrawal.

Notification Requirement	Type of Measure
GATS art. <i>Article X(2) (Emergency Safeguard Measures)</i>	To notify any intention to modify or withdraw a specific commitment after a period of one year from the date on which the commitment enters into force; provided that the Member shows cause to the Council that the modification or withdrawal cannot await the lapse of the three-year period provided for in paragraph 1 of Article XXI.

Thirdly, Services Commitments

WTO principles of freer and fairer trade apply also on services. These principles appear in the new General Agreement on Trade in Services (GATS). WTO members have made individual commitments under GATS stating which of their services sectors they are willing to open to foreign competition, and how accessible those markets are.

Service commitments under the GATS are registered in schedules. Each Member of the WTO is required to have a schedule in which it registers its commitments to provide market access and national treatment to services and service suppliers of other Members. When making a commitment, a Member binds the level of market access and national treatment specified in the schedule and undertakes not to impose any new measures that would restrict entry into the market or discriminate in favour of services or services suppliers of national origin.

In nearly all schedules, commitments are divided into two sections: "horizontal" and "sector-specific" commitments. The horizontal section contains limitations which apply to all sectors included in the schedule. These often refer to particular modes of supply, notably commercial presence and movement of natural persons. The only purpose of having a section for horizontal commitments is to avoid repeating the same entry in relation to each sector contained in the schedule. Any evaluation of sector-specific commitments must therefore take into account the horizontal entries. Ministry of Interior is mainly concerned with Horizontal service commitments. A schedule for the Horizontal commitments related to the Ministry is added below.

In regards to formatting, all schedules conform to a standard formula which is intended to facilitate comparative analysis. For each sector or sub-sector inscribed, the schedule must indicate, with respect to the four modes of supply set out in Articles (I, paragraph 2 GATS) any limitations on market access or national treatment which are to be maintained.

The said four modes are (in the schedule, such modes will be referred to by their red numbers):

- a. Cross border supply: the possibility for non-resident service suppliers to supply services cross-border into the Member's territory.
- b. Consumption abroad: the freedom for the Member's residents to purchase services in the territory of another Member
- c. Commercial presence: the opportunities for foreign service suppliers to establish, operate or expand a commercial presence in the Member's territory, such as a branch, agency, or wholly-owned subsidiary
- d. Presence of natural persons: the possibilities offered for the entry and temporary stay in the Member's territory of foreign individuals in order to supply a service.

A commitment therefore consists of eight entries which indicate the presence or absence of market access and/or national treatment limitations with respect to each mode of supply. The first column in the standard format contains the sector or sub-sector which is the subject of the commitment; the second column contains limitations on market access; the third column contains limitations on national treatment. In the fourth column, if any, a Member may enter any additional commitments relating to matters which are not subject to scheduling under market access or national treatment including those regarding qualifications, standards or licensing matters.

Finally, Most-Favoured-Nation treatment (MFN) is a general obligation that applies to all measures affecting trade in services. MFN consists of the commitment by a Member of WTO immediately and unconditionally to accord to any other Member of the WTO all the advantages it would accord to any other country. However, particular measures inconsistent with the MFN obligation can be maintained. Such measures must have been specified in a list of MFN Exemptions submitted by the member. Jordan has submitted a list of MFN exemptions attached to the schedule of specific commitments.

Modes of supply: 1)Cross-Border supply 2)Consumption abroad 3)Commercial presence 4)
 Presence of natural persons

Sector or sub-sector	Limitations on market access	Limitations on national treatment	Additional commitments
A. HORIZONTAL COMMITMENTS			
All sectors included in this schedule			
		Regarding subsidies, modes (1), (2), (3) and (4) are Unbound.	
		(3) Foreign investments may not be less than JD 50,000. This does not apply to investments in public share-holding companies.	
		<u>Real Estate:</u> (3) All purchase of real estate by non-Jordanian firms must be related to the approved business activities and is subject to Cabinet authorization.	

Modes of supply: 1)Cross-Border supply 2)Consumption abroad 3)Commercial presence 4)
 Presence of natural persons

Sector or sub-sector	Limitations on market access	Limitations on national treatment	Additional commitments
		Lease of real estate by non-Jordanian firms for more than three years is subject to Cabinet approval. All juridical entities are prohibited from engaging in real estate trading. <u>State Owned Land:</u> (3) Authorization for purchase or lease of state owned lands is restricted to Jordanian nationals.	
	(3) All investments in public utilities are generally subject to concession. In sectors where service provision is granted by concession, commercial establishment must be in the form of Public Shareholding Companies.		
	(4) Unbound except for measures concerning the entry and temporary stay of a natural person who falls in one of the following categories: <u>Business visitors</u> A natural person who stays in Jordan without acquiring remuneration from within Jordan and without engaging in making direct sales to the general public or supplying services, for the purposes of participating in business meetings, business contacts including negotiations for the sale of services and/or other similar activities including those to prepare for establishing a commercial presence in Jordan. Entry and stay shall be for a period of 90 days.	(4) Unbound, except for measures affecting the categories referred to under market access.	

Modes of supply: 1)Cross-Border supply 2)Consumption abroad 3)Commercial presence 4)
 Presence of natural persons

Sector or sub-sector	Limitations on market access	Limitations on national treatment	Additional commitments
	<p><u>Intra-Corporate Transferees</u> Natural persons employed by a juridical entity of another member for a period of not less than one year and who seek temporary stay in order to render services to (i) the same juridical entity which is engaged in substantive business operation in Jordan or (ii) a juridical entity constituted in Jordan and engaged in substantive business operation in Jordan which is owned by or controlled by or affiliated with the aforementioned juridical entity.</p>		
	<p><u>Executives</u> Natural persons who are senior employees of a juridical entity, who are responsible for the entire or a substantial part of the entity's operations in Jordan, receiving general supervision or direction principally from higher level executives, the board of directors or stock-holders of the business.</p> <p><u>Managers</u> Natural persons who direct the juridical entity, or department or sub-division of the juridical entity, supervise and control the work of supervisory, professional or managerial employees, have the authority to hire and fire or recommend hiring, firing, or other personnel actions and exercise discretionary authority over day-to-day operations at a senior level.</p> <p><u>Specialists</u> Natural persons employed by a juridical entity and possess knowledge at an advanced level of expertise and proprietary knowledge of a juridical entity product, service, research, equipment, techniques, or management.</p>		

Modes of supply: 1)Cross-Border supply 2)Consumption abroad 3)Commercial presence 4)
 Presence of natural persons

Sector or sub-sector	Limitations on market access	Limitations on national treatment	Additional commitments
	<p><u>Professionals</u> Natural persons seeking to engage, as part of services contract granted by a juridical entity engaged in substantive business in Jordan and obtained by a juridical entity of another Member, (other than entities providing services as defined by CPC872) which has no commercial presence in Jordan in the activity at a professional level. The person must possess the necessary academic credentials and professional qualifications, which have been duly recognized, where appropriate by the professional association in Jordan. The commitment relates only to the service activity which is the subject of the contract. Work permits for all categories are granted on the basis of an economic—needs test, i.e. to candidates whose qualifications are not available in Jordanians or those who are seeking work in fields in which Jordanians are in short supply. Intra-corporate transferees who are executives, managers and specialists (as defined above) are presumed to meet the economic needs test requirements.</p>		
	<p>Temporary work and residency permits are required. Such permits are issued for a maximum period of one year, but are renewable.</p>		
		<p><u>Residency requirements:</u> (4) Managing director of a branch or juridical entity must be resident in Jordan.</p>	

Sector or sub-sector	Limitations on market access	Limitations on national treatment
	(4) Unbound except for measures concerning the entry and temporary stay of a natural person who falls in one of the following categories:	(4) Unbound, except for measures affecting the categories referred to under market access.
	<p><u>Business visitors</u> A natural person who stays in Jordan without acquiring remuneration from within Jordan and without engaging in making direct sales to the general public or supplying services, for the purposes of participating in business meetings, business contacts including negotiations for the sale of services and/or other similar activities including those to prepare for establishing a commercial presence in Jordan. Entry and stay shall be for a period of 90 days.</p>	
	<p><u>Intra-Corporate Transferees</u> Natural persons employed by a juridical entity of another member for a period of not less than one year and who seek temporary stay in order to render services to (i) the same juridical entity which is engaged in substantive business operation in Jordan or (ii) a juridical entity constituted in Jordan and engaged in substantive business operation in Jordan which is owned by or controlled by or affiliated with the aforementioned juridical entity.</p>	
	<p><u>Executives</u> Natural persons who are senior employees of a juridical entity, who are responsible for the entire or a substantial part of the entity's operations in Jordan, receiving general supervision or direction principally from higher level executives, the board of directors or stock-holders of the business.</p>	

Sector or sub-sector	Limitations on market access	Limitations on national treatment
	<p><u>Managers</u> Natural persons who direct the juridical entity, or department or sub-division of the juridical entity, supervise and control the work of supervisory, professional or managerial employees, have the authority to hire and fire or recommend hiring, firing, or other personnel actions and exercise discretionary authority over day-to-day operations at a senior level.</p>	
	<p><u>Specialists</u> Natural persons employed by a juridical entity and possess knowledge at an advanced level of expertise and proprietary knowledge of a juridical entity product, service, research, equipment, techniques, or management.</p>	
	<p><u>Professionals</u> Natural persons seeking to engage, as part of services contract granted by a juridical entity engaged in substantive business in Jordan and obtained by a juridical entity of another Member, which has no commercial presence in Jordan in the activity at a professional level. The person must possess the necessary academic credentials and professional qualifications, which have been duly recognized, where appropriate by the professional association in Jordan. The commitment relates only to the service activity which is the subject of the contract.</p>	
	<p>Work permits for all categories are granted on the basis of an economic needs test, i.e. to candidates whose qualifications are not available in Jordanians or those who are seeking work in fields in which Jordanians are in short supply.</p>	

Sector or sub-sector	Limitations on market access	Limitations on national treatment
	Intra-corporate transferees who are executives, managers and specialists (as defined above) are presumed to meet the economic needs test requirements.	
	Temporary work and residency permits are required. Such permits are issued for a maximum period of one year, but are renewable.	
		<u>Residency requirements:</u> (4) Managing director of a branch or juridical entity must be resident in Jordan.

ii. Public Corporation for the Protection of the Environment

Commitments imposed upon the Public Corporation for the Protection of Environment following to Jordan's accession to WTO are categorized as the following:

Firstly, Rules Commitments

This category of commitments refers to commitments stated in the Working Party Report and must be observed by relevant state bodies before making decisions, adopting policies, or taking legal measures that affect Jordan's foreign trade regime.

1. Quantitative import restrictions

Jordan is committed that it would not introduce, re-introduce or apply quantitative restrictions on imports, or other non-tariff measures such as licensing, quotas, bans, permits, prior authorization requirements, licensing requirements and other restrictions having equivalent effect that cannot be justified under the provisions of the WTO Agreement. Any amendments to the import licensing regime shall be fully in accordance with all relevant provisions of the WTO, including the Agreement on Import Licensing Procedures. Any suspension of imports and exports or applying licensing requirements that could be used to suspend, ban, or otherwise restrict the quantity of trade shall be applied in conformity with the requirements of the WTO, in particular Articles XI, XII, XIII, XVIII, XIX, XX and XXI of the GATT 1994, and Agreement on Agriculture, Application of Sanitary and Phytosanitary Measures, Import Licensing Procedures, Safeguards and Technical Barriers to Trade. Thus, in applying any policy, decision or action the Corporation shall not impose restrictions effect imports of goods. (Working Party Report para. 88)¹⁹

Further, in regards to Other Duties and Charges, Jordan is committed not to apply any Other Duties and Charges in addition to those that reflect the cost of services rendered in accordance with Article VIII of the GATT 1994. Further, Jordan is committed not to list any other charges in its Goods Market Access Schedule under Article II:1(b) of the GATT 1994, binding such charges at "zero". (WP report para 59)

2. Making and Enforcing Policies

Jordan is committed that if Jordanian laws or other acts should be found to contradict international treaties or agreements, the provisions of the international treaty or agreement, such as the WTO, would apply. (WP report para. 43)

¹⁹ Report of the Working Party on the Accession of Jordan (WT/ACC/JOR/33)

The provisions of the WTO Agreement, including Jordan's Protocol, shall be applied uniformly throughout Jordan's customs territory and other territories under its control, including in regions engaging in border trade or frontier traffic, special economic zones, and other areas where special regimes for tariffs, taxes and regulations are established. In situation where WTO provisions were not being applied or were applied in a non-uniform manner, central authorities would act to enforce WTO provisions without requiring affected parties to petition through the courts. (WP report para. 43)

3. Pricing Policies

Art.III (1) GATT provides that WTO members recognize that internal taxes and other internal charges, and laws, regulations and requirements affecting the internal sale, offering for sale, purchase, transportation, distribution or use of products, and internal quantitative regulations requiring the mixture, processing or use of products in specified amounts or proportions, should not be applied to imported or domestic products so as to afford protection to domestic production. Paragraph 9 from the same article provides that that internal maximum price control measures can have effects prejudicial to the interests of WTO members supplying imported products. Accordingly, WTO members applying such measures shall take account of the interests of exporting members with a view to avoiding to the fullest practicable extent such prejudicial effects.

Jordan is committed to apply the price and profitability controls in a WTO-consistent fashion, and would take account of the interests of exporting WTO Members as provided for in Article III:9 of the GATT 1994. Also, Jordan is committed to publish any list of goods and services subject to State price controls in the Official Journal, including any changes regarding existing price controls. (WP Report Para. 32)

4. Trading Rights,

Jordan is committed to make its laws, regulations and requirements relating to the right to import and export and all fees, charges or taxes levied on such rights in full conformity with its WTO obligations, including:

- GATT VIII:1(a) : that all fees and charges of whatever character (other than import and export duties and other than taxes within the purview of Article III) imposed by members on or in connection with importation or exportation shall be limited in amount to the approximate cost of services rendered and shall not represent an indirect protection to domestic products or a taxation of imports or exports for fiscal purposes.
- GATT XI:1 : that no prohibitions or restrictions other than duties, taxes or other charges shall be instituted or maintained by any member on the importation of any product of the territory of any

other member or on the exportation or sale for export of any product destined for the territory of any other member.

- Art. III:2 and 4 of the GATT: (National Treatment) The products of the territory of any member imported into the territory of any other member shall not be subject, directly or indirectly, to internal taxes or other internal charges of any kind in excess of those applied, directly or indirectly, to like domestic products.

Further, the products of the territory of any member imported into the territory of any other member shall be accorded treatment no less favourable than that accorded to like products of national origin in respect of all laws, regulations and requirements affecting their internal sale, offering for sale, purchase, transportation, distribution or use.

Secondly, Notification Commitments

This category refers to notifications that the Public Corporation for the Protection of Environment is concerned with under the WTO. The Corporation has to prepare a draft of notification in coordination with Ministry of Industry and Trade which is the focal point in submitting notifications to the WTO.

Notification Requirement	Type of Measure
Agreement on Import Licensing Procedures, Article 1.4 (a)	Names of publications in which rules and information relevant to the ILP Agreement are published; copies of publications
Agreement on Import Licensing Procedures, Article 7.3	Replies to questionnaire on import licensing procedures
Agreement on Import Licensing Procedures, Article 8.2(b)	Laws/regulations and administrative procedures and changes thereto

jj. Lands & Survey Department

WTO principles of freer and fairer trade apply also on services. These principles appear in the new General Agreement on Trade in Services (GATS). WTO members have made individual commitments under GATS stating which of their services sectors they are willing to open to foreign competition, and how accessible those markets are.

Service commitments under the GATS are registered in schedules. Each Member of the WTO is required to have a schedule in which it registers its commitments to provide market access and national treatment to services and service suppliers of other Members. When making a commitment, a Member binds the level of market access and national treatment specified in the schedule and undertakes not to impose any new measures that would restrict entry into the market or discriminate in favour of services or services suppliers of national origin.

In nearly all schedules, commitments are divided into two sections: "horizontal" and "sector-specific" commitments. The horizontal section contains limitations which apply to all sectors included in the schedule. These often refer to particular modes of supply, notably commercial presence and movement of natural persons. The only purpose of having a section for horizontal commitments is to avoid repeating the same entry in relation to each sector contained in the schedule. Any evaluation of sector-specific commitments must therefore take into account the horizontal entries.

A schedule for the services commitments related to the Lands and Survey Department is added below. These commitments are mainly in regard of National Treatment. National treatment is a term exists under WTO agreements, which establishes the principle of non-discrimination between imported products and like domestic products or between services supplied by a foreigner and like services supplied by nationals.

In regards to formatting, all schedules conform to a standard formula which is intended to facilitate comparative analysis. For each sector or sub-sector inscribed, the schedule must indicate, with respect to the four modes of supply set out in Articles (I, paragraph 2 GATS) any limitations on market access or national treatment which are to be maintained.

The said four modes are (in the schedule, such modes will be referred to by their red numbers):

- a. Cross border supply: the possibility for non-resident service suppliers to supply services cross-border into the Member's territory.
- b. Consumption abroad: the freedom for the Member's residents to purchase services in the territory of another Member

- c. Commercial presence: the opportunities for foreign service suppliers to establish, operate or expand a commercial presence in the Member's territory, such as a branch, agency, or wholly-owned subsidiary
- d. Presence of natural persons: the possibilities offered for the entry and temporary stay in the Member's territory of foreign individuals in order to supply a service.

A commitment therefore consists of eight entries which indicate the presence or absence of market access and/or national treatment limitations with respect to each mode of supply. The first column in the standard format contains the sector or sub-sector which is the subject of the commitment; the second column contains limitations on market access; the third column contains limitations on national treatment. In the fourth column, if any, a Member may enter any additional commitments relating to matters which are not subject to scheduling under market access or national treatment including those regarding qualifications, standards or licensing matters.

Finally, Most-Favoured-Nation treatment (MFN) is a general obligation that applies to all measures affecting trade in services. MFN consists of the commitment by a Member of WTO immediately and unconditionally to accord to any other Member of the WTO all the advantages it would accord to any other country. However, particular measures inconsistent with the MFN obligation can be maintained. Such measures must have been specified in a list of MFN Exemptions submitted by the member. Jordan has submitted a list of MFN exemptions attached to the schedule of specific commitments.

Modes of supply: 1)Cross-Border supply 2)Consumption abroad
 3)Commercial presence 4) Presence of natural persons

Sector or sub-sector	Limitations on market access	Limitations on national treatment	Additional commitments
A. HORIZONTAL COMMITMENTS			
All sectors included in this schedule			
		Regarding subsidies, modes (1), (2), (3) and (4) are Unbound.	
		(3) Foreign investments may not be less than JD 50,000. This does not apply to investments in public share-holding companies.	
		<u>Real Estate:</u> (3) All purchase of real estate by non-Jordanian firms must be related to the approved business activities and is subject to Cabinet authorization. Lease of real estate by non-Jordanian firms for more than three years is subject to Cabinet approval. All juridical entities are prohibited from engaging in real estate trading.	

Modes of supply: 1)Cross-Border supply 2)Consumption abroad
 3)Commercial presence 4) Presence of natural persons

Sector or sub-sector	Limitations on market access	Limitations on national treatment	Additional commitments
		<u>State Owned Land:</u> (3) Authorization for purchase or lease of state owned lands is restricted to Jordanian nationals.	
	(3) All investments in public utilities are generally subject to concession. In sectors where service provision is granted by concession, commercial establishment must be in the form of Public Shareholding Companies.		
	(4) Unbound except for measures concerning the entry and temporary stay of a natural person who falls in one of the following categories: <u>Business visitors</u> A natural person who stays in Jordan without acquiring remuneration from within Jordan and without engaging in making direct sales to the general public or supplying services, for the purposes of participating in business meetings, business contacts including negotiations for the sale of services and/or other similar activities including those to prepare for establishing a commercial presence in Jordan. Entry and stay shall be for a period of 90 days.	(4) Unbound, except for measures affecting the categories referred to under market access.	

WTO Introductory Reports

Modes of supply: 1)Cross-Border supply 2)Consumption abroad
3)Commercial presence 4) Presence of natural persons

Sector or sub-sector	Limitations on market access	Limitations on national treatment	Additional commitments
	<p><u>Intra-Corporate Transferees</u> Natural persons employed by a juridical entity of another member for a period of not less than one year and who seek temporary stay in order to render services to (i) the same juridical entity which is engaged in substantive business operation in Jordan or (ii) a juridical entity constituted in Jordan and engaged in substantive business operation in Jordan which is owned by or controlled by or affiliated with the aforementioned juridical entity.</p>		
	<p><u>Executives</u> Natural persons who are senior employees of a juridical entity, who are responsible for the entire or a substantial part of the entity's operations in Jordan, receiving general supervision or direction principally from higher level executives, the board of directors or stock-holders of the business.</p> <p><u>Managers</u> Natural persons who direct the juridical entity, or department or sub-division of the juridical entity, supervise and control the work of supervisory, professional or managerial employees, have the authority to hire and fire or recommend hiring, firing, or other personnel actions and exercise discretionary authority over day-to-day operations at a senior level.</p>		

Modes of supply: 1)Cross-Border supply 2)Consumption abroad
 3)Commercial presence 4) Presence of natural persons

Sector or sub-sector	Limitations on market access	Limitations on national treatment	Additional commitments
	<p><u>Specialists</u> Natural persons employed by a juridical entity and possess knowledge at an advanced level of expertise and proprietary knowledge of a juridical entity product, service, research, equipment, techniques, or management.</p>		
	<p><u>Professionals</u> Natural persons seeking to engage, as part of services contract granted by a juridical entity engaged in substantive business in Jordan and obtained by a juridical entity of another Member, (other than entities providing services as defined by CPC872) which has no commercial presence in Jordan in the activity at a professional level. The person must possess the necessary academic credentials and professional qualifications, which have been duly recognized, where appropriate by the professional association in Jordan. The commitment relates only to the service activity which is the subject of the contract. Work permits for all categories are granted on the basis of an economic-needs test, i.e. to candidates whose qualifications are not available in Jordanians or those who are seeking work in fields in which Jordanians are in short supply. Intra-corporate transferees who are executives, managers and specialists (as defined above) are presumed to meet the economic needs test requirements.</p>		

WTO Introductory Reports

Modes of supply: 1)Cross-Border supply 2)Consumption abroad
3)Commercial presence 4) Presence of natural persons

Sector or sub-sector	Limitations on market access	Limitations on national treatment	Additional commitments
	Temporary work and residency—permits are required. Such permits are issued for a maximum period of one year, but are renewable.		
		Residency requirements: (4) Managing director of a branch or juridical entity must be resident in Jordan.	

D. Real Estate Services

(a) Real estate services involving own or leased property (CPC 8210) (b) On a fee or contract basis (CPC 822)	(1) Unbound. (2) None (3) Access restricted to Jordanian natural persons. Juridical entities are not allowed. Real estate agents and licensed surveyors must be Jordanian nationals. (4) Unbound, except as indicated in the horizontal section. Real estate agents and licensed surveyors employed by real estate offices must be Jordanian nationals.	(1) Unbound. (2) None (3) None (4) Unbound, except as indicated in the horizontal section.	
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E. Rental/leasing service without operators

(a) Leasing or rental services concerning ships without operators (CPC 83103) (d) Relating to other machinery and equipment (CPC 83106-83109)	(1) None (2) None (3) Subject to 50% foreign equity limitation. (4) Unbound, except as indicated in the horizontal section.	(1) None (2) None (3) None (4) Unbound, except as indicated in the horizontal section.	
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GATS NOTIFICATIONS

The Lands & Survey Department is concerned with certain notification commitments under the GATS. Such notification shall be prepared in coordination with Ministry of Industry and Trade.

GATS art. V (7)(a)	Members to agreement referred to in paragraph 1 art. V (agreements liberalizing trade in services between or among the parties to such an agreement) shall promptly notify any such agreement and any enlargement or any significant modification of that agreement to the Council for Trade in Services.
<i>GATS, Article XXI (1)(b) Modification of Schedules</i>	A Member shall notify its intent to modify or withdraw a commitment pursuant to this Article no later than three months before the intended date of implementation of the modification or withdrawal.
<i>GATS art. Article X(2) (Emergency Safeguard Measures)</i>	To notify any intention to modify or withdraw a specific commitment after a period of one year from the date on which the commitment enters into force; provided that the Member shows cause to the Council that the modification or withdrawal cannot await the lapse of the three-year period provided for in paragraph 1 of Article XXI.

kk. Ministry of Finance

Further to Jordan's accession to the WTO, Ministry of Finance has become concerned with certain types of commitments imposed upon Jordan.

Firstly, Rules Commitments

This category of commitments refers to commitments must be observed by relevant state bodies before making decisions, adopting policies, or taking legal measures that affect Jordan's foreign trade regime. These commitments are as the following:

1) Making and Enforcing Policies

Jordan is committed that if Jordanian laws or other acts should be found to contradict international treaties or agreements, the provisions of the international treaty or agreement, such as the WTO, would apply. (WP report para. 43)

The provisions of the WTO Agreement, including Jordan's Protocol of Accession, shall be applied uniformly throughout Jordan's customs territory and other territories under its control, including in regions engaging in border trade or frontier traffic, special economic zones, and other areas where special regimes for tariffs, taxes and regulations are established. In situation where WTO provisions were not being applied or were applied in a non-uniform manner, central authorities would act to enforce WTO provisions without requiring affected parties to petition through the courts. (WP report para. 43)

2) Pricing Policies

Art.III (1) GATT provides that WTO members recognize that internal taxes and other internal charges, and laws, regulations and requirements affecting the internal sale, offering for sale, purchase, transportation, distribution or use of products, and internal quantitative regulations requiring the mixture, processing or use of products in specified amounts or proportions, should not be applied to imported or domestic products so as to afford protection to domestic production. Paragraph 9 from the same article provides that that internal maximum price control measures can have effects prejudicial to the interests of WTO members supplying imported products. Accordingly, WTO members applying such measures shall take account of the interests of exporting members with a view to avoiding to the fullest practicable extent such prejudicial effects.

Jordan is committed to apply the price and profitability controls in a WTO-consistent fashion, and would take account of the interests of exporting WTO Members as provided for in Article III:9 of the GATT 1994. Also, Jordan is committed to publish any list of goods and services subject to

State price controls in the Official Journal, including any changes regarding existing price controls. (WP Report Para. 32)

3) Trading Rights

Jordan is committed to make its laws, regulations and requirements relating to the right to import and export and all fees, charges or taxes levied on such rights in full conformity with its WTO obligations, including:

- GATT VIII:1(a) : that all fees and charges of whatever character (other than import and export duties and other than taxes within the purview of Article III) imposed by members or in connection with importation or exportation shall be limited in amount to the approximate cost of services rendered and shall not represent an indirect protection to domestic products or a taxation of imports or exports for fiscal purposes.
- GATT XI:1 : that no prohibitions or restrictions other than duties, taxes or other charges shall be instituted or maintained by any member on the importation of any product of the territory of any other member or on the exportation or sale for export of any product destined for the territory of any other member.
- Art. III:2 and 4 of the GATT: (National Treatment) The products of the territory of any member imported into the territory of any other member shall not be subject, directly or indirectly, to internal taxes or other internal charges of any kind in excess of those applied, directly or indirectly, to like domestic products.

Further, the products of the territory of any member imported into the territory of any other member shall be accorded treatment no less favourable than that accorded to like products of national origin in respect of all laws, regulations and requirements affecting their internal sale, offering for sale, purchase, transportation, distribution or use.

4) Subsidies and domestic support

Article XVI GATT and The Agreement on Subsidies and Countervailing Measures (SCM) discipline the use of subsidies.

SCM Agreement clarifies and complements Article XVI of the GATT 1994 on subsidies and Article VI on anti-dumping and countervailing duties. The Agreement provides greater transparency by defining the concept of subsidy and clarifying the rules for the imposition and collection of countervailing duties. This agreement does two things: it disciplines the use of subsidies, and it regulates the actions countries can take to counter the effects of subsidies. It says a country can use the WTO's dispute settlement procedure to seek the withdrawal of the subsidy or the removal of its adverse effects. Or the country can launch its own investigation and ultimately charge extra duty (known as "countervailing duty") on subsidized imports that are found to be hurting domestic producers. A subsidy is defined by Article 1 as a financial contribution or

any form of income or price support by a government or any other public body and which confers a benefit. To determine whether a benefit exists, one generally compares the situation concerned with prevailing market conditions.

Jordan is committed that any subsidy programmes shall be administered in conformity with the Agreement on Subsidies and Countervailing Measures. All necessary information on such programmes shall be notified to the Committee on Subsidies and Countervailing Measures in accordance with Article 25 of the Agreement (WP report para. 131). In the case of agricultural subsidies, Jordan is committed to bind agricultural export subsidies at zero (WP report para. 189).

In regards to domestic support, there are, under the Agriculture Agreement, two categories of domestic support — support with no, or minimal, distortive effect on trade on the one hand (often referred to as “Green Box” measures) and trade-distorting support on the other hand (often referred to as “Amber Box” measures). For example, government provided agricultural research or training is considered to be of the former type, while government buying-in at a guaranteed price (“market price support”) falls into the latter category. Under the Agreement on Agriculture, all domestic support in favour of agricultural producers is subject to rules. In addition, the aggregate monetary value of Amber Box measures is, with certain exceptions, subject to reduction commitments as specified in the schedule of each WTO Member providing such support. The reduction commitments are expressed in terms of a “Total Aggregate Measurement of Support” (Total AMS) which includes all product-specific support and non-product-specific support in one single figure. Members with a Total AMS have to reduce base period support by 20 per cent over 6 years (developed country Members) or 13 per cent over 10 years (developing country Members). In any year of the implementation period, the Current Total AMS value of non-exempt measures must not exceed the scheduled Total AMS limit as specified in the schedule for that year. In other words, the maximum levels of such support are bound in the WTO. Jordan had AMS of JD 1,539,199 and Jordan is committed to reduce this by 13.3 per cent over seven years from the date of accession. (WP Report 189)

To sum up, the relevant state bodies in Jordan (the Ministry of Agriculture, the Ministry of Finance, the Central Bank, and the Investment Promotion Corporation) must observe the following:

- Any subsidy programmes shall be administered in conformity with the Agreement on Subsidies and Countervailing Measures
- No subsidies contingent upon export (export subsidies) for agricultural products
- Domestic support may not exceed 10% of total value of agricultural output

- The total Aggregate Measure of Support (estimated at JD 1,539,199 during period 1994-1996) must be reduced by 13.3% over a period of 7 years from the date of accession.

5) Tariffs exemptions:

In Jordan tariff exemptions had been granted for basic production inputs, basic food products, necessary health and medical goods, and capital goods and equipment for agriculture and industry.

The Customs Law No.20 of 1998 had cancelled all import duty exemptions for government-owned firms and government institutions (except grants and donations). Duty exemptions remained for 10 companies in accordance with agreements with the Government or concessions, granted at the time of their establishment. The import duty exemptions were set to expire automatically on the date stipulated in the concessions and agreements. The beneficiaries were share holding companies with significant private participation - the Jordan Phosphate Mines Co. Ltd., the Jordan Petroleum Refinery Company, the Jordan Cement Factories Company, the Arab Bridge Maritime Company, the Arab Potash Company, the Jordanian Electric Company, the Irbid Governorate Electric Company, the Jordanian Tanning Company, the Vegetable Oil Industries Co. Ltd., and the Arab Company for Manufacturing White Cement. The products subject to import duty exemptions were used by the exempted companies for production and operations purposes. The following goods imported by these companies were not exempt from import duties: cars and spare parts, tyres, petroleum products, vans and buses and their spare parts, stationery, computer devices, air-conditioners, hand tools, consumption materials, goods and materials used for housing employees, and products similar to Jordanian products. These companies were not exempt from income tax, and the tariff exemptions were not contingent upon export performance. Jordan is committed to not renew the above mentioned exemptions. (WP Report Paragraph 63)

6) Quantitative import restrictions

Jordan is committed that it would not introduce, re-introduce or apply quantitative restrictions on imports, or other non-tariff measures such as licensing, quotas, bans, permits, prior authorization requirements, licensing requirements and other restrictions having equivalent effect that cannot be justified under the provisions of the WTO Agreement. Any amendments to the import licensing regime shall be fully in accordance with all relevant provisions of the WTO, including the Agreement on Import Licensing Procedures. Any suspension of imports and exports or applying licensing requirements that could be used to suspend, ban, or otherwise restrict the quantity of trade shall be applied in conformity with the requirements of the WTO, in particular Articles XI, XII, XIII, XVIII, XIX, XX and XXI of the GATT 1994, and Agreement on Agriculture, Application of Sanitary and Phytosanitary Measures, Import Licensing Procedures, Safeguards and

Technical Barriers to Trade. Thus, in applying any policy, decision or action the Ministry shall not impose any restrictions that affect imports of goods. (Working Party Report para. 88)²⁰

Finally, in regards to Other Duties and Charges, Jordan is not permitted to apply any Other Duties and Charges in addition to those that reflect the cost of services rendered in accordance with Article VIII of the GATT 1994. Further, Jordan is committed not to list any other charges in its Goods Market Access Schedule under Article II:1(b) of the GATT 1994, binding such charges at "zero". (WP report para 59)

Secondly, Legal Commitments

This category refers to laws, regulations, instructions, and decision that must be in effect or modified in order to conform to the WTO requirements.

Export Subsidies:

Jordan's Income Tax Law and its amendments provide an authority to Council of Ministers (upon a recommendation from minister of finance) to make partial or total exemption from income tax for some exports of national products. Such exemptions are considered as export subsidies and which may fall under the category of prohibited subsidies as defined in SCM agreement. Jordan is committed to eliminate the export subsidies described above. Further, Jordan is committed not maintain nor introduce any other prohibited subsidies. (Working Party Report, para. 126)

Applying internal taxes for imports

National treatment is a term exists under WTO agreements. It establishes the principle of non-discrimination between imported products and like domestic products. Taxes and other domestic levies by Members of the WTO, and laws and regulations affecting the internal sale, offering for sale, purchase, transportation, distribution or use of products and internal quantitative regulations requiring the mixture, processing or use of products in specified amounts or proportions must be applied in such a way that they afford imported products the same treatment (de facto) as products of domestic origin.

The principle of National Treatment National treatment only applies once a product, service or item of intellectual property has entered the market. Therefore, charging customs duty on an import is not a violation of national treatment even if locally-produced products are not charged an equivalent duty. It applies to all imported products once they have been cleared through customs (exports are not covered) and domestic products. As well, it applies when the domestic product and the imported product are like products.

²⁰ Report of the Working Party on the Accession of Jordan (WT/ACC/JOR/33)

The Jordanian tax regime was criticized for its violation for art. III GATT (National treatment). The Sales Tax Law of 1994 did not accord national treatment in the taxation of imported goods. The General Sales Tax law provisions were not in conformity with Article III:2 of GATT 1994 were (i) Article 6, which provided for two schedules of goods subject to the supplementary sales tax, whose purpose was to compensate for reductions in import duties; (ii) Article 7, which provided that the Council of Ministers could wholly or partially exempt any locally produced goods from the tax; (iii) Schedule 1, which consisted of goods not subject to sales tax including locally produced furniture, locally produced dried legumes, locally produced solar water heaters and a number of other locally produced items, but not imported like products; (iv) Schedule 2, which consisted of goods subject to 20 per cent sales tax, but retained separate columns for the rate applicable to local and imported goods, as long as the rates were not the same; (v) Schedule 3, which consisted of goods subject to specific sales tax, but retained separate columns for the rate applicable to local and imported goods, as long as the rates were not the same; and (vi) Schedule 5-A, which consisted of imported goods subject to supplementary sales tax, including natural and mineral water and carbonated and alcoholic beverages.

Jordan is committed to amend the General Tax Law to ensure national treatment with regard to the application of general sales tax.

Thirdly, Notification Commitments

This category refers to notifications that the Ministry must provide to the WTO. The Ministry has to prepare a draft of notification in coordination with Ministry of Industry and Trade which is the focal point in submitting notifications to the WTO.

Notification Requirement	Type of Measure
Agreement on Agriculture, Article 18.2 – domestic support	Domestic support – Total Aggregate Measurement of Support
Agreement on Agriculture, Article 18.3 – domestic support	Domestic support – new or modified exempt domestic support measures
Agreement on Agriculture, Article 18.2 – export subsidies	Export subsidies-budgetary outlay and quantity reduction commitments; total exports
Agreement on Subsidies and Countervailing Measures, Article 28.1	Subsidy programmes which are inconsistent with the provisions of the ASCM
Agreement on Subsidies and Countervailing Measures, Article 29.3	Subsidy programmes falling within the scope of ASCM Article 3

Notification Requirement	Type of Measure
Agreement on Subsidies and Countervailing Measures, Article 25.1 annual; GATT 1994, Article XVI:1/ annual	Any subsidy as defined in ASCM Article 1:1 which is specific within the meaning of ASCM Article 2 as well as any other subsidy which causes increased exports or decreased imports within the meaning of GATT 1994, Article XVI:1
Understanding on Balance-of-Payments Provisions of the GATT 1994	Balance-of-payment restrictions; consolidated notification of laws/regulations, including all changes in laws, regulations, policy statements or public notices, for examination by Members.

II. Government Procurement Departments (The General Department of Supplies and Public Tender Department)

In most countries the government, and the agencies it controls, are together the biggest purchasers of goods of all kinds, ranging from basic commodities to high-technology equipment. At the same time, the political pressure to favour domestic suppliers over their foreign competitors can be very strong.

An Agreement on Government Procurement aims to open up as much of this business as possible to international competition. It is designed to make laws, regulations, procedures and practices regarding government procurement more transparent and to ensure they do not protect domestic products or suppliers, or discriminate against foreign products or suppliers.

The agreement has 28 members. It has two elements — general rules and obligations, and schedules of national entities in each member country whose procurement is subject to the agreement. A large part of the general rules and obligations concern tendering procedures.

The present agreement and commitments were negotiated in the Uruguay Round. These negotiations achieved a 10-fold expansion of coverage, extending international competition to include national and local government entities whose collective purchases are worth several hundred billion dollars each year. The new agreement also extends coverage to services (including construction services), procurement at the sub-central level (for example, states, provinces, departments and prefectures), and procurement by public utilities. The new agreement took effect on 1 January 1996.

It also reinforces rules guaranteeing fair and non-discriminatory conditions of international competition. For example, governments will be required to put in place domestic procedures by which aggrieved private bidders can challenge procurement decisions and obtain redress in the event such decisions were made inconsistently with the rules of the agreement.

The agreement applies to contracts worth more than specified threshold values. For central government purchases of goods and services, the threshold is SDR 130,000 (some \$185,000 in June 2003). For purchases of goods and services by sub-central government entities the threshold varies but is generally in the region of SDR 200,000. For utilities, thresholds for goods and services is generally in the area of SDR 400,000 and for construction contracts, in general the threshold value is SDR 5,000,000.

In Jordan, government procurement practices were governed by several laws and regulations depending on the nature and purpose of the procurement. Two public departments – the Cooperation Organization and the National Aid Fund – enjoyed autonomy in their procurement according to their rules and regulations. Excluding these two bodies, the overall value of goods and

services purchased by the public sector amounted to around JD 145 million annually.

Purchases of supplies for government departments were subject to Supplies Regulation No. 32 for 1993, which were amended for four times and the latest one is in 2004, and the Tenders Instructions No. (1) of 1994, which were amended for four times and the latest one was in 2004, issued by the Minister of Finance. The General Department of Supplies/Ministry of Finance is responsible for such procurement, which is normally conducted by tendering through the Central Tendering Committee. The committee comprised three permanent members from the General Supplies Department (GSD), the Ministry of Industry and Trade and the Ministry of Finance, and two members from the government department applying for the actual purchase.

Local products are given preference over imported products in government tenders. Supplies Regulation No. 32 for 1993 provides that if the specifications, quality degree, criteria and other conditions in the supplies offered and required for purchasing, became equal, the concerned authority of purchasing should give priority to the supplies produced in the Kingdom (locally), provided that their prices should be calculated according to the preferential differential prices decided by the cabinet. Also, to give priority to the supplies offered by the bidder residing in the Kingdom permanently. Moreover, a contractor procuring imported products should buy these in the local market rather than by direct importation.

Jordan has committed that it would initiate negotiations for membership in the Agreement on Government Procurement by tabling an entity offer. If the results of the negotiations were satisfactory to the interests of Jordan and the other members of the Agreement, Jordan commits to complete negotiations for membership in the Agreement. Signing the said agreement would impose upon Jordan an obligation to amend its regulations and instructions in a way that permit fair and non-discriminatory conditions of international competition in government procurement transactions.