

**Integrity and Anti-Corruption Law of the year 2016 and its Amendments, published
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**Integrity and Anti-Corruption law
No. (13) of the year 2016 and its Amendments**

Article 1

This law shall be titled the “Integrity and Anti-Corruption Law of 2016” and shall come into force after thirty days of its publication in the Official Gazette.

Article 2

The following words and expressions, wherever stated herein, shall have the meanings ascribed to them below unless the context indicates otherwise:

Commission: The Integrity and Anti-Corruption Commission established according to the provisions of this law.

Board: Board of the Commission.

Chairman: Chairman of the Board.

Public Administration: Ministries, Governmental Departments, Public Official Corporations, Public Entities and Municipalities.

Article 3

- a) A Commission, titled the "Integrity and Anti-Corruption Commission" shall be established in the Kingdom, and shall have a legal personality while being financially and administratively independent. In this capacity, it shall have the power to take all legal actions necessary to achieve its objectives, including conclusion of contracts and owning movable and immovable property, and it shall have the right to litigate. It shall be represented by the Attorney General in all legal proceedings.
- b) The Commission’s headquarters shall be in Amman.

Article 4

The Commission aims to ensure the adherence to the principles of the national integrity and anti-corruption through the following:

- a) Activate and ensure the integration of the set of values and rules of conduct in Public Administration.
- b) Ensure that the Public Administration fairly and transparently provides high quality services to the citizens.
- c) Ensure that the Public Administration adheres to the principles of good governance and the values of equality, capability, deservedness and equal opportunity.

- d) Ensure that the Executive Authority adheres to transparency when establishing its policies and taking decisions, and ensuring the citizen's right to access information in accordance with legislation.
- e) Ensure that the Public Administration applies the legislations transparently and in a manner consistent with the principles of justice, equality and equal opportunities.
- f) Ensure the existence of a legal framework that regulates the accountability of officials and decision makers in public administration.
- g) Receive the aggrieved persons' complaints and grievances in accordance with the provisions of this law.
- h) Cooperate in providing and requesting international mutual legal assistance in the field of anti-corruption, through the official channels if the conditions thereof are met.
- i) Investigate all forms of financial and administrative corruption, disclose the violations and infractions, collect the relevant evidence and information and initiate investigations along with the required legal and administrative procedures.
- j) Prosecute anyone who commits any act of corruption and take the required procedures.
- k) Combat character assassination.
- L) Ensure that oversight institutions for the private sector and civil society organizations establish good governance standards and ensure their proper application.

Article 5

- a) The Commission shall exercise its duties and tasks freely and independently without influence or interference by any other party.
- b) The Commission's premises shall not be subjected to inspection unless under a court order and in the presence of the competent public prosecutor, provided that the Chairman should be informed thereof, and a representative of the Commission shall be invited to attend the inspection. Any action that is contrary thereto shall be void.

Article 6

- a) 1. The Commission shall be managed and supervised by a Board consisting of a Chairman and four members, who shall be characterized by justice, integrity, impartiality and expertise, and none of them shall be holding another nationality, and they shall be appointed by a Royal Decree based on the recommendation of the Prime Minister.

- 2. The term of the Board membership shall be four years, renewable once either for the Chairman or any of the members.

- b) The Chairman and members of the Board must devote themselves to their work, and none of them may practice any work, position, or profession, nor may any of them be delegated, seconded, assigned, or licensed by any entity.
- c) 1. The Chairman shall receive the salary and allowances prescribed for the President of the Court of Cassation in accordance with the provisions of the legislation in force.

2. The Board Member shall receive the salary and allowances prescribed for the Vice-President of the Court of Cassation in accordance with the provisions of the legislation in force.
- d) The Board shall choose from among its members a Vice-Chairman who shall assume the duties of the Chairman in case of his absence.
- e) The Chairman and members shall be subject to the provisions of the Illicit Enrichment Law.
- f) Prior to the assumption of their duties, the Chairman and Board members shall take the following oath before the King:
“I swear by Allah Almighty, to be faithful to the King and the home Country, to uphold the Constitution, respect the laws and regulations and to fulfil the duties assigned to me with impartiality, truthfulness and honesty.”
- g) Except in cases of *flagrant delecto*, the Chairman or any of the Board members may not be prosecuted or detained unless prior permission has been obtained from the Judicial Council. The Judicial Council may, after hearing the statement of the Chairman or Board member, decide either to continue to detain him/her for the period it deems appropriate, to extend such period, or to release him/her with or without bail.

Article 7

- a) The service of the Chairman or Board Member shall end by resignation, provided that it shall take effect from the date of issuance of the Royal Decree accepting it.
- b) The Cabinet may, based on the recommendation of the Board, terminate the service of the Chairman or any member during the term of the Board in any of the following cases:
 - 1. If he/she breaches the duties and tasks assigned to him or commits an act against the honor or dignity.
 - 2. If he/she commits any act or conduct that violates the principles of national integrity or falls within the scope of corruption in accordance with the provisions of this Law.

3. If he/she absents from Board meetings for three consecutive sessions or six separate sessions during one year without an excuse accepted by the Board.
- c) If the position of the Chairman or any Member of the Board becomes vacant for any reason, a replacement shall be appointed pursuant to the procedures set out in clause (1) of Paragraph (A) of Article (6) of this law to complete the remainder of the Board's term.
- d) Subject to the provisions of Paragraphs (A) and (B) of this Article, the Chairman or any of the Board Members may not be referred to retirement or termination before to the expiration of the term of membership provided for in this Law.

Article 8

- a) The Board shall assume the following authorities and tasks:
 1. Establishing the Commission's general policy and approving the plans and programs necessary for its implementation.
 2. Approving the national integrity standards and raising awareness thereof.
 3. Examining any subject submitted thereto or on its own initiative, relating to any of the Public Administration's decisions, procedures or practices and sending its recommendations thereon to it.
 4. Cooperating and coordinating with the local, regional and international entities similar to the Commission's work.
 5. Taking the necessary decisions related to complaints and grievances submitted to the Commission, including referring them to the competent authorities.
 6. Taking the necessary decisions related to corruption cases, including referring them to the competent judicial authorities.
 7. Requesting the relevant authorities to suspend any person committing any of the corruption offences in accordance with the provisions of the legislations in force.
 8. Conducting the necessary investigations in order to pursue any corruption cases, whether on its own or based on a report received from any entity. If the outcome of the investigation or inspection revealed that the received information or allegations were false and malicious, the submitter of such information shall be referred to the competent judicial authorities in accordance with the due process of the law.
 9. Raising the citizens' awareness of the negative impact of corruption on economic, social and political development.
 10. Issuing periodical newsletters illustrating the risks of corruption, nepotism and favoritism on the State institutions and public administrations.
 11. Approving the contracts and agreements concluded by the Commission.
 12. Approving the organizational structure of the Commission and its jobs' classification table in order to be duly asserted.

13. Proposing and submitting the draft legislations related to the Commission's work to the Cabinet.
14. Issuing the instructions necessary for the administration of the Commission, including those relating to the functions and powers of the members of the Board.
15. Forming the necessary committees to assist the Board in carrying out its tasks, provided that the decision of formation shall determine the number of members, tasks and method of making decisions.
16. Approving the Commission's final financial statements and the draft of the annual budget and to submit the same to the Cabinet for due approval.
17. Approving the annual report of the Commission's activities, and submit it to the King, the Cabinet, the Senate and the House of Representatives.
18. Any other matters of relevance to the Commission's tasks and objectives brought before it by the Chairman.

b. To request the competent judicial authority to issue an urgent decision to seize movable and immovable properties and ban travel of any person committing a corruption offence, or request that such decisions be amended or annulled in accordance with the legislation in force.

c. If the Board finds evidence of abnormal growth in the wealth of any of the persons included by the provisions of the Illicit Enrichment Law, it may request the Financial Disclosure Department to provide it with a true copy of the disclosures and any statements or information relating to that person.

d. The Board may contribute to the recovery of funds derived from acts of corruption, whether the funds are inside or outside the Kingdom, in addition to handing them over to their beneficiaries in accordance with the relevant legislation.

Article 9

- a. The Board shall meet based on an invitation by the Chairman or his Deputy in case of the Chairman's absence whenever there is a need to hold a meeting. The Board meetings shall be considered lawful, if attended by the majority of its members provided that the Chairman or his Deputy are among the attendees, and the decision shall be taken by the majority of members' votes.
- b. The Chairman shall designate from among the Commission's staff a Secretary of the Board, who shall undertake the organization of its agenda, record its meeting minutes, and resolutions, and maintain its records and registries.

Article 9 bis

The Chairman shall assume the following tasks and powers:

- a. Supervise the functioning of the Commission, including its administrative and financial affairs, and follow-up its work.

- b. Implement the plans, programs and resolutions made by the Board.
- c. Represent the Commission before third parties and to sign and supervise the performance of the contracts and agreements approved by the Board.
- d. Propose the instructions necessary to manage the Commission and to present the same to the Board for issuance.
- e. Any other functions as may be assigned to him/her by the Board or provided for in this law, regulations, and instructions issued thereunder.

Article 10

- a. Secretary General shall be appointed for the Commission by a decision made by the Cabinet upon a recommendation made by the Chairman.
- b. The Secretary General shall assume the following tasks and powers:
 - 1. Manage the executive body of the Commission in accordance with the regulations and instructions made for this purpose.
 - 2. Suggest and present to the Board the organizational structure of the executive body of the Commission, the job classification table and the job description thereof.
 - 3. Prepare the draft of the annual budget and annual report of the Commission's work, besides, the final financial statements and to present the same to the Board for approval.
 - 4. Any other tasks assigned to him/her by the Chairman or provided for in this Law, the regulations, and instructions issued thereunder.

Article 11

- a) Those aggrieved by the decisions, practices, procedures or omissions of the Public Administration shall have the right to submit a grievance against the Public Administration to the Commission according to the provisions of this law.
- b) The grievances shall be submitted using the form prepared for this purpose including a summary of the facts and the reasons, and the entity that made the decision or took the procedure together with the supporting documents and papers, if any. The form shall be signed by the petitioner or his legal representative.
- c) The Commission shall start to verify the grievance submitted to it and the Board shall make its decision of accepting or dismissing the grievance within fifteen days of the submission date, provided that his decision is justified in either of both cases.
- d) In case the Board accepted the grievance, it shall delegate the Chairman or one of its members in order to take the necessary procedures to solve the issue of grievance in any means it deems appropriate and as quickly as possible.
- e) The Chairman or the member to whom the grievance is referred shall be subjected to the provisions of incompetency, recusal, and disqualification stated in the Civil Procedure Code.

Article 12

- a) If it turns out that the grievance submitted in accordance with provisions of this law constitutes a crime, the Board shall refer the file to the competent public prosecutor or to the competent court.
- b) The grievance shall not be accepted after six months of the alleged incident, the Board may decide to accept such grievance after the elapse of the said period if the Board found that its subject relates to a public issue.

Article 13

- a) If the Board finds after completing its procedures, that the Public Administration's decisions, procedures or abstentions include any of the following:
 - 1. Violating legislation.
 - 2. Unfairness, arbitrariness, inequality or discrimination.
 - 3. Invoking unlawful instructions or unfair procedures.
 - 4. Negligence, default or error.In such instances, the Chairman shall draft a detailed report about the related incident and send it to the complained against Public Administration and he shall have the right to submit the recommendations he might deem appropriate regarding the grievance subject matter.
- b) The Public Administration shall respond within fifteen days from the date of receipt of the report referred to in paragraph (a) of this article, and may request the Chairman to extend the deadline for a similar period.
- c) If the Public Administration refrained to respond within the period specified in Paragraph B of this Article or refuses to take the necessary action or a dispute took place between the Commission and the Public Administration, the Chairman shall refer the issue to the Cabinet in order to take the decision it deems appropriate.

Article 14

- a) The Chairman may appoint one or more liaison officers to the Public Administration to verify their compliance with the national integrity standards and legislation, and to follow-up on grievances from their decisions.
- b) The liaison officer may attend the Procurement and Tenders' Committees' meetings or any other committees' meetings without having the right to vote on decisions.
- c) All affairs related to the liaison officer shall be determined by instructions issued by the Board to that end.

Article 15

- a) The Public Administration is committed to implementing the principles of transparency related to publicity and disclosure in performance of its regulatory

and procedural functions and the employment of its cadres, as well as its internal and external relations and contracting.

- b) The Public Administration shall provide a portal of public information that is available for citizen's access pursuant to the provisions of the relevant legislation.

Article 16

- a) For the purposes of this law, the following acts shall be deemed to be corruption:
 - 1. Offences contrary to public office duties and offences contrary to the public trust stipulated in the Penal Code.
 - 2. Economic offences as specified under the Economic Crimes Law.
 - 3. Illicit Enrichment.
 - 4. Failure to declare or disclose the investments, properties or benefits which may lead to conflict of interest if the laws and regulations so require, and which would be of direct or indirect personal benefit to the refusal to declare them.
 - 5. Any act or omission resulting in wasting public funds, or the funds of public shareholding companies or non-profit companies or associations.
 - 6. The abuse of power contrary to the provisions of the law.
 - 7. The acceptance of nepotism and favoritism by Public Administration employees, which revoke a right or validates an injustice.
 - 8. Use of ex officio information for special benefits.
 - 9. The corruption crimes stipulated in the international conventions ratified by the Kingdom.
 - 10. Any person requesting or accepting an undue benefit to exploit his influence to enable himself or others to obtain a job, service, contract, decision, or other undeserved advantage from the Public Administration.
- b) The Commission shall be responsible for investigating money-laundering crimes resulting from any of the corruption crimes stipulated in this law.
- c) Subject to the content of Paragraph A of this Article; the Commission shall have no jurisdiction over the following:
 - 1. Disputes and complaints between individuals.
 - 2. Complaints which fall under the jurisdiction of any other official control body, which is obliged, if it came across a criminal act during its performance of its duties, to refer the perpetrator of such act to the public prosecution.
 - 3. The complaints and grievances subject to administrative and judicial appeal, or pending before any judicial authority, or judicial rulings have been made with respect thereto.
- d) The special provisions stipulated in the relevant legislation shall apply in the event that the defendant in a corruption case was one of the persons who shall be

investigated or prosecuted as required in form by the Constitution, the relevant legislation or procedures.

Article (16 bis)

- A. The perpetrator of any of the corruption crimes stipulated in this law may submit a request to the Commission to conduct a reconciliation, if he/she completely returns the funds and the benefits associated with them that he/she obtained as a result of committing a corruption crime or settles them in accordance with the provisions of the Economic Crimes Law No. (11) of 1993.
- B. The Chairman shall submit the request of reconciliation to the judicial committee formed under Article (9) of the law referred to in paragraph (a) of this Article.
- C. If the Judicial Committee agrees to the reconciliation, it shall refer its decision to the Board to complete the reconciliation procedures in accordance with the provisions of the law, provided that this prevents filing a public right lawsuit within the limits of the same facts or persons subject of the reconciliation with all its descriptions.
- D. D. The Commission may conduct a reconciliation with the holder of the money in the event that the money subject of the corruption crime and the benefits associated with it has been completely returned or a settlement is made in the preliminary investigation stage with the Commission and in accordance with the provisions of Paragraphs (B) and (C) of this Article.

Article 17

- a) Notwithstanding any other law, the Public Prosecution office shall have a prosecution department specialized in corruption cases, which shall have the mandate of considering the cases referred to it by the Board.
- b) The Judicial Council shall designate at the beginning of each year the number of public prosecutors required to serve in the specialized public prosecution department, referred to in Paragraph A of this Article.

Article 18

The Chairman may request the delegation, secondment or assignment of any officer or member of the security or military services or any official from any ministry, department or public institution to serve at the Commission in accordance with the legislation in force.

Article 19

The Chairman and Board members shall have the capacity of the judicial police for carrying out their duties, and the Board shall determine the Commission's employees who shall have such capacity.

Article 20

- a) Subject to the provisions of the legislation in force; in order for the Commission to perform its functions, it may request any data, information, or documents from any person or any entity, and they shall respond without delay to the request subject to legal liability.
- b) Unjustified refrain or delay in submitting the data, information or documents requested according to Paragraph A of this Article, shall be punishable by imprisonment for up to three months or a fine not exceeding five hundred JOD.
- c) The Commission shall be entitled to request official oversight institutions to conduct the necessary audits and technical expertise on the entities subject to its supervision to enable the Commission to perform its functions.
- d) During the course of investigation of any corruption case, the Commission may entrust any persons or companies or specialized entities, to perform technical, financial and administrative audits of the entities covered by the provisions of this law, in order to verify its financial statements, records, accounts and all financial transactions.

Article 21

Notwithstanding the stipulated in any other legislation, the Commission is committed to issue its decisions no later than six months after the commencement of the procedures of investigating the complaint, and the Board may, if necessary, extent that period for a similar additional period.

Article 22

- a) All data, information, documents and its copies, which are received by the Commission or accessed by any of its staff members by virtue of their functions, shall be deemed confidential and shall not be disclosed or shown or allowed to be accessed by others, except in accordance with the provisions of the law.
- b) Without prejudice to any more severe penalty provided for in any other legislation, anyone who violates the provisions stated in Paragraph A of this Article shall be subject to the penalty of imprisonment for up to one year.
- c) The provisions of this Article shall apply to all the Commission's staff members stipulated in Article 18 and Paragraph C of Article 20 of this law, even after the termination of their employment or the termination of the task entrusted to them.

- d) Notwithstanding the stipulated in any other legislation, every public employee who had evidence of corruption and does not report it to the Commission or the competent authorities, shall be punished by imprisonment for a period of not less than four months or by a fine of not less than five hundred JOD and not exceeding five thousand JOD, or by both penalties.

Article 23

- A) Without prejudice to any more severe penalty stipulated in any other legislation, any person who commits any of the acts and conducts stipulated in Article (16) of this law shall be subject to the punishment of imprisonment for a period not less than four months or a fine of not less than five hundred Dinars and not exceeding five thousand Dinars or by both penalties. In case of repetition the penalty shall be increased by half.
- B) Subject to the international conventions ratified by the Kingdom, the provisions of Paragraph A of this Article shall apply to the non-Jordanian public officials along with the officials of public international organizations, with the obligation to refund the amounts derived from acts of corruption.
- C) 1- Each contract, agreement or benefit obtained as a result of an act of corruption shall be subject to annulment or rescindment by the competent court. 2- Each privilege obtained as a result of an act of corruption, shall be ineffective by the competent court decision, and the competent authorities shall repeal the law ratifying such privilege in accordance with constitutional procedures.3-
- 2- During the course of its investigations, the Commission may, as an expedited measure, request the competent court to suspend any contract, agreement, benefit, or privilege if it appears prima facie that it was obtained as a result of an act of corruption until the proceedings are decided.

Article 24

- a) The Commission shall provide the necessary protection to the whistleblowers, witnesses, informants and experts in corruption cases, their relatives and other persons who are closely related to them against any likely assault, reprisal or intimidation, through the following:
1. Provide them with protection at their places of residence.
 2. Non-disclosure of information related to their identities and whereabouts.
 3. Giving statements and testimonies using modern communication techniques to ensure their safety.
 4. Protect them in their places of work and immune them from any discrimination or ill treatment or arbitrary dismissal.
 5. Provide accommodation where necessary.
 6. Take any measure or action necessary to ensure their safety.
- b) Applications for providing protection shall be subject to the Board's discretion in accordance with the conditions surrounding the persons requesting such

protection, provided that such protection shall be lifted once the circumstances that led to the imposition are no longer applicable.

- c) All issues related to the provision of protection for witnesses, whistleblowers, informants, experts and their relatives and persons who are closely related to them, shall be regulated pursuant to a regulation to be issued for such purpose.
- d) Notwithstanding the stipulated in any other legislation, the Chairman shall disburse financial aid to the whistleblowers, witnesses and informants whom the Commission decides to protect in accordance with instructions issued by the Board for this purpose.

Article 25

Protection granted by the Board shall be dropped in the event of violating any of the protection conditions or if the person granted protection commits any felony or misdemeanor involving moral turpitude.

Article 26

- a) Any person who discloses information relating to the identity or whereabouts of whistleblowers, witnesses, informants or experts shall be subject to imprisonment for not less than six months and not more than a year, and a fine not exceeding ten thousand JOD.
- b) If the disclose stipulated in paragraph (a) of this article, led to causing offense against any of the persons stipulated in the same paragraph, the disclosing person shall be considered as an accomplice to the crime and shall be punished by the same penalty stated for the principal perpetrator.

Article 27

Without prejudice to any more severe penalty stipulated in any other legislation, any person assaulting whistleblowers, witnesses, informants or experts because they revealed corruption, or were subject to mistreatment, discrimination, or abuse of power against them, or were prevented from testifying or reporting corruption shall be subject to imprisonment for no less than one year. In case force or threat by weapon or any other physical means of coercion was used, the penalty shall be imprisonment for no less than two years and a fine of no more than ten thousand Dinars.

Article 28

- a) The accomplice, accessory or inciter in corruption crimes shall be punished by the same penalty set for the perpetrator.
- b) Any perpetrator or accomplice or accessory or inciter in corruption crimes shall be exempt from two-thirds of the sentence should he/she provide to the

Commission or to the competent authorities with any information, proof or evidence that leads to asset recovery from corruption cases.

- c) The prosecution shall not be taken to any of the above-mentioned persons in paragraph (b) of this article if they provide information prior to the discovery of the corruption.

Article 29

Notwithstanding the stipulated in any other legislation:

- a. The statute of limitations provisions shall not be applicable to the public right lawsuit and punishments related to corruption; nor to the recovery of funds collected from corruption.
- b. A decision made by a court to abate a public right lawsuit, to suspend a pursuit or relieve from a punishment due to the availability of any punishment preventive cases or due to lack of responsibility shall not prevent the continuity to recover the funds collected as a result of corruption.

Article 30

- A. The Commission may establish a trusts fund at the Central Bank or a domestic bank approved by the Board based on the Chairman's recommendation called the (Reconciliations and Settlements Trusts Account) which is dedicated to the preservation and management of funds and benefits derived from corruption acts, and that have been recovered or seized until they are delivered to their lawful beneficiaries.
- B. All affairs related to the trusts account established with the domestic bank referred to in paragraph A of this Article shall be regulated by a regulation issued for this purpose.

Article 31

- a) The Commission shall have a separate budget, and its fiscal year shall commence on the first day of January of each year and end on the thirty-first day of December of the same year.
- b) The Commission's financial resources shall consist of:
 - 1. The annually allocated for the Commission in the general budget.
 - 2. Aids, donations and grants, along with any other sources accepted by the board, provided that they are approved by the Cabinet if the source of the fund is non-Jordanian.
- c) The Commission's accounts are subject to the supervision of the Audit Bureau.

Article 32

The Commission shall enjoy the exemptions and facilities enjoyed by ministries and governmental departments.

Article 33

- a) The Civil Service Regulation, the Supply Regulation, the Financial Regulation, the Public Works Regulation, the Travel and Movement Regulation applicable by the ministries and governmental departments shall apply to the Commission.
- b) For the purposes of implementing the provisions of paragraph A of this Article, the Chairman shall exercise the powers of the competent minister and the Secretary General shall exercise the powers of the secretary general provided for in the regulations referred to in that paragraph.

Article 34

- a) Each of the following shall be abolished:
 1. The Ombudsman Bureau Law no. (11) of 2008.
 2. The Anti-Corruption Commission Law no. (62) of 2006.
- b) The regulations and instructions issued based on such laws shall be applied until they are repealed, amended or replaced by other regulations and instruction according to the provisions of this law.
- c) The Commission shall be regarded as the legal and factual successor for both of the Ombudsman Bureau and the Anti-Corruption Commission, and all their assets shall be devolved to the Commission, and also all their rights and obligations. The staff members of both the Ombudsman Bureau and the Anti-Corruption Commission shall be transferred to the Commission and their services at the Commission shall be regarded as a continuation of their previous services.
- d) The Anti-Corruption Commission Board, which exists when this law comes into force, shall exercise the functions of the Board until its establishment according to the provisions of this law and the Chairman of the Anti-Corruption Commission shall exercise the functions and powers of the Chairman until appointing a Chairman in accordance with the provisions of this Law.

Article 35

The Cabinet shall issue the necessary regulations for the implementation of the provisions of this law.

Article 36

The Prime Minister and Ministers are in charge of implementing the provisions of this Law.